

LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING COMMITTEE
NORTHERN AREA –19/08/04

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

A106	- Approve subject to S106	DOEC	- Refer to DLTR (Committee)	REF	- Refusal
		Now DTLR			
APP	- Approve	NOBJ	- No objection	REV	- Subject to Revocation Order
APPC	- Approve with conditions	OBJ	- Objection	DOED	Refer to DLTR
				Now DTLR	(delegated)
APRE	- Part approve / refuse	OBS	- Observations to Committee		

ITEM NO	APPLICATION NO OFFICER	LOCATION	REC	PARISH / WARD	PAGE NOS	WARD & COUN- CILLORS	NOTES
1	S / 2004 / 129 Mr O Marigold	MRS M CORNELIUS-REID AMESBURY ABBEY NURSING HOME AMESBURY	REF	AMES	2-4	AMESBURY WEST Councillor Westmoreland	
2	S / 2004 / 1513 Miss J Boustead	XIAOYE WEN LINLEY HIGH STREET PORTON	REF	IDMI	5-6	UPPER BOURNE & IDMISTON Councillor Hewitt Councillor Wren	
3	SV S / 2004 / 1509 Miss L Flindell	"3" DURRINGTON WALLS TELEPHONE EXCHANGE STONEHENGE ROAD DURRINGTON WALLS	OBS	DURR	8-11	DURRINGTON Councillor Baker Councillor Bojdys Councillor Mrs Greville	

AGENDA ITEM

Land South of Boscombe Road, Amesbury

END OF LIST

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 undermentioned 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

Part 1

Applications recommended for Refusal

Item No. Case Officer Contact No.

App.Number Date Received Expiry Date Applicant's Name
Ward/Parish Cons.Area Listed Agents Name

Proposal
Location

1	Case Officer Mr O Marigold	Contact No 01722 434293	1
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S/2004/129	16/01/2004	12/03/2004 15:25:19	MRS M CORNELIUS-REID
AMES	AME	II*	YORK ASSOCIATES
Easting: 415091	Northing: 141730		

PROPOSAL:	FULL APPLICATION -REPLACEMENT GARDEN STORE AND GARDEN SUNDRY EQUIPMENT AND PARAPHERNALIA
LOCATION:	AMESBURY ABBEY NURSING HOME AMESBURY SALISBURY SP4 7EX

REASON FOR REPORT TO MEMBERS

Contrary to PC's recommendation (the application was submitted before the change in the delegation procedure)

SITE AND ITS SURROUNDINGS

The site consists of the gardens and parkland surrounding Amesbury Abbey Nursing Home. The Abbey itself is a Grade I and Grade II* building, while the gardens are included on the English Heritage Register of Parks and Gardens of Historic Interest at Grade II* level, meaning that the gardens are of exceptional historic interest.

THE PROPOSAL

The application proposes the demolition of an existing garden store and its replacement with a building of a larger size and scale. The building would provide accommodation for marquees, tables, chairs etc and storage (including logs).

PLANNING HISTORY

Erection of 2 no disabled persons dwellings, replacement gardener's store, Refused 9th June 1995, Appeal Withdrawn (S/95/510)

Erection of 2 No. disabled persons dwellings and replacement gardener's store, no decision (Approved subject to s106) (S/96/106)

CONSULTATIONS

Garden History Society: Garden store is a mundane building and substantial new development within an historic landscape of national importance. The potential damage to the fabric of the historic landscape and its character and appearance seems high and, in the absence of proper context advice consent is refused. Comments awaited on amended plans

Wiltshire Gardens Trust: Any new buildings, especially one as large and out of keeping as the one proposed, need to be sited with particular care and should not be permitted unless so well screened as to not affect the landscape. Comments awaited on amended plans.

English Heritage: Does not wish to make representations

Arboricultural Officer: Siting and construction of storage facility will have little or no impact on surrounding trees. Any trees that may have to be removed would have no significance in the context of the site or the store's location.

Environment Agency: No objection in principle, subject to a condition. (Details of proposed finished floor level)

English Nature: Comments awaited

REPRESENTATIONS

Advertisement	Yes	expiry 19/02/04
Site Notice displayed	Yes	expiry 19/02/04
Departure	No	
Neighbour notification	Yes	expiry 11/02/04
Third Party responses	No	
Parish Council response	Yes	no objection

MAIN ISSUES

Impact on character and appearance of countryside and Special Landscape Area,
Impact on character and appearance of Grade II* Historic Park/Garden, Conservation Area and setting of listed buildings
Impact on Area of High Ecological value
Impact on flooding
Impact on neighbouring residential properties

POLICY CONTEXT

G1, CN3, CN8, CN18, C6, C11

PLANNING CONSIDERATIONS

This application proposes the demolition of the existing garden store and its replacement with a building of larger size and footprint. The site lies within a Grade II* historic garden which PPG15 advises should be protected.

It is recognised that attempts have been made to screen the building by means of laurel hedging, but the proposed store would never-the-less be visible through existing trees (some of which may need to be removed) and would be sited further away from existing buildings. This would result in further built form encroaching into the landscape, detracting from its sylvan character. Indeed, both the Garden History Society and the Wiltshire Gardens Trust have raised concerns regarding this impact on the landscape. It is therefore considered that the proposed building, by reason of its excessive size and siting would fail to protect the Grade II* historic park/garden. It would also fail to preserve the character and appearance of the Conservation Area and would harm the Special Landscape Area.

With regard to the impact on the setting of listed buildings, the Conservation Officer considers that the proposal would not have an adverse impact, while the Environment Agency have raised no objection on the grounds of flooding impact (subject to conditions). The impact on adjoining residential properties would not be significant enough to warrant refusal.

The site lies within an area of High Ecological value, and comments from English Nature are awaited to establish whether there is potentially any significant harm to nature conservation interests.

CONCLUSION

The proposed building would harm the character and appearance of the Grade II* historic park/garden, the Special Landscape Area and the character and appearance of the Conservation Area. This warrants refusal.

Subject to no material objection being raised by English Nature on the basis of harm to nature conservation interests, to result in conflict with policy C11:

RECOMMENDATION: REFUSE for the following reasons:

1. The proposed building, by reason of its excessive size and scale, and its siting away from existing buildings, would harm the Grade II* historic park/garden, the Special Landscape Area and the character and appearance of the Conservation Area. It would therefore conflict with policies G1, CN8, CN18 and C6 of the Replacement Salisbury District Local Plan.

And that in the event of a material objection being raised by English Nature on the basis of harm to nature conservation interests, permission is also refused on the grounds of conflict with policy C11.

And in accordance with the following policy/policies of the adopted Salisbury District Local Plan:

G1	General Development Criteria
CN3	Impact on listed buildings
CN8	Impact on Conservation Area
CN18	Development within historic parks or gardens
C6	Development in Special Landscape Area
C11	Nature Conservation Interests

NOTES:

S/2004/1513	12/07/2004	06/09/2004	XIAOYE WEN
IDMI			MR KEVIN PALMER
Easting: 418807.4	Northings: 136607.6		

PROPOSAL:	CHANGE OF USE -CHANGE OF USE FROM RETAIL SHOP TO CHINESE TAKEAWAY / RESTAURANT
LOCATION:	LINLEY HIGH STREET PORTON SALISBURY SP4 0LH

REASON FOR REPORT TO MEMBERS

Contrary to PC's recommendation

Councillor Hewitt has requested that this item be determined by Committee due to:
the prominent nature of the site
the interest shown in the application
the controversial nature of the application

SITE AND ITS SURROUNDINGS

Linley is a semi detached development in the centre of Porton that has previously been a retail unit with living accommodation above. To the east of the proposed site is a doctors surgery, to the west and directly opposite are a number of dwellings. There is a parking area in front of the development, which can park up to three car park spaces. The proposed site is also adjacent to the conservation area.

THE PROPOSAL

This application is for the change of use from retail shop to Chinese takeaway and restaurant.

PLANNING HISTORY

77/743 :Widening of existing vehicular access and provision of customer car parking
Approved 16/11/77

CONSULTATIONS

WCC Highways - Object for the following reasons:

The likely vehicular attraction to the proposed development presents a road and pedestrian safety hazard in view of the lack of off-street parking facilities and the substandard nature of the High Street, which is restricted in width with no footpaths.

SDC Conservation - No comments

Environment Agency - Object for the following reasons:

Lack of information concerning how the kitchen is to be ventilated, where stocks of food and other catering supplies are to be stored, no indication of what provision will be made for storage and disposal of refuse. There ideally needs to be separate toilets for staff and customers. Noise is also a concern that the proposed development could give rise to considerable noise nuisance to the surrounding residential properties.

REPRESENTATIONS

Advertisement	Yes	Expires 19/08/04
Site Notice displayed (x2)	Yes	Expires 19/08/04
Neighbour notification	Yes	Expires 06/08/04
Neighbour Response	Yes	3 letter of support, 7 letters of objection on grounds of parking, noise, smell and litter

MAIN ISSUES

Highways
Impact upon neighbouring dwellings

POLICY CONTEXT

Adopted SDLP G2 (General), TR11 (Transport)

PLANNING CONSIDERATIONS

The proposed site is contained primarily in a residential area. To the west of the proposal site is a bungalow and directly opposite is a two-storey dwelling. The high street continues onto the West, which is residential and has different housing designs majority of which are incorporated within the conservation area. The proposal is not within but adjacent to the conservation area.

Highways

This proposed change of use does not comply with Policy TR11 of the Adopted Salisbury Local Plan which states that:

The provision of off-street car parking spaces, on the basis of the guidance given at Appendix V to this Local Plan, will be sought in respect of all new development proposals.

Appendix V explains car-parking guidelines, which are classified according to the Town and Country Planning (Use Class) Order 1987. Highways have also highlighted that a maximum of 12 car park spaces would be required for the restaurant which can seat up to 16, the take-away and the residential flat in the first floor. Only 3 spaces are available at present, which are situated in front of the building.

Impact upon neighbouring dwellings

Noise associated with vehicle movement, car doors slamming and general noise generated by the coming and goings of customers could give rise to a considerable noise nuisance to the surrounding residential properties, especially at antisocial hours.

There is also no indication of how the kitchen is to be ventilated. In view of the close proximity of surrounding residential properties, this will have to be designed with great care to ensure that nuisance is not caused either by cooking odours or noise from the associated plant.

Conclusion

It is considered that the proposal would be detrimental to the character of the locality due to the increase in traffic and on-road parking. There will also be a detrimental impact on neighbouring dwellings in terms of noise.

RECOMMENDATION: REFUSE for the following reasons:

(1) Insufficient information has been supplied with the application for the Local Planning Authority to be satisfied that the proposal will not have an adverse effect upon residential amenity by reason of noise and disturbance and is therefore contrary to Policy G2 of the Adopted Salisbury District Local Plan.

(2) The likely vehicular attraction to the proposed development presents a road and pedestrian safety hazard in view of the lack of off-street parking facilities and the substandard nature of the High Street, which is restricted in width with no footways. It is therefore also contrary to Policies G2 and TR11 of the Adopted Salisbury District Local Plan.

NOTES:

Part 2

Applications recommended for Approval

Item No.	Case Officer	Contact No.	App.Number	Date Received	Expiry Date	Applicant's Name
Ward/Parish	Cons.Area	Listed	Agents Name			
Proposal						
Location						

No Approvals

Part 3

Applications recommended for the Observations of the Area Committee

Item No.	Case Officer	Contact No.
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App.Number	Date Received	Expiry Date	Applicant's Name
Ward/Parish	Cons.Area	Listed Agents	Name

Proposal Location

3	Case Officer Miss L Flindell	Contact No 01722 434377	3
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S/2004/1509	09/07/2004	03/09/2004	"3"
DURR			CROWN CASTLE UK
Easting :415262.7	Northing: 144158		

PROPOSAL:	DEVELOP A 15 METRE GROUND BASED TIMBER MONO POLE ACCOMODATING THE PROPOSED ANTENNA TOGETHER WITH ASSOCIATED EQUIPMENT COMPOUND AND ANCILLARY WORKS
LOCATION:	DURRINGTON WALLS TELEPHONE EXCHANGE STONEHENGE ROAD DURRINGTON WALLS SALISBURY SP4 8BW

REASON FOR REPORT TO MEMBERS

Cllrs Baker and Greville have requested that the item be determined at committee due to local interest in the application.
Contrary to Parish Council recommendation.

SITE AND ITS SURROUNDINGS

The site forms part of the BT telephone exchange site, located on the outskirts of Durrington. There is a public right of way running between the site and the A345. There are residential dwellings to the south and east, open ground to the north (allocated within the local plan as Public Open Space), and car park/recycling centre to the southwest. The site is screened from the north, and west by mature trees.

THE PROPOSAL

Telecommunications code system operators enjoy a general planning permission under Part 24 of Schedule 2 to the Town and Country Planning (General Permitted Development) Amendment (England) Order 2001. This allows an operator to carry out the development permitted by Class A of Part 24, subject to exclusions and conditions, without making a planning application to the local planning authority. Under Paragraph A.2 (4) certain development permitted under Part 24 is conditional upon the operator making a prior approval application, allowing the local planning authority to consider the siting and appearance of the proposed development.

This is a prior approval application providing details of the siting and appearance of a 15m high timber monopole accommodating antenna, together with associated equipment compound and ancillary works at the BT telephone exchange, Durrington.

It is not an application for planning permission and the only issues are siting and design.

PLANNING HISTORY

None

CONSULTATIONS

ROW (WCC) - No comments

CAA - If the safeguarding maps indicate that safeguarding airspace will be infringed by the development, the safe course is to carry out the consultation indicated as necessary by the maps (consult the MOD)

MOD - The MOD has no safeguarding objections to this proposal

English Heritage - The proposed mast will be located in an area of urban development and situated within a small group of trees which will help to mask it from view. The simulation was hardly visible when viewed from Woodhenge or several other locations within the World Heritage Site. Crown Castle Estates advised me at this visit that the mast would be finished in wood, to help it blend in with its surroundings. English Heritage is content that the proposed mast will have no adverse affect on either the WHS or Durrington Walls Scheduled Monument.

WCC Archaeology - There are no known archaeological sites directly affected by the proposals and in light of the small scale of the development I have no comments to make. The issues relating to the setting have been adequately covered by English Heritage.

Housing & Health Officer - I have no objections provided the development complies with the Council's Precautionary Policy regarding telecommunications.

REPRESENTATIONS

Advertisement Yes, expiry date 12.08.04

Site Notice displayed Yes, expiry date 12.08.04

Departure No

Neighbour notification Yes, expiry date 28.07.04

Third Party Representations Yes 17 letters of objection, summarised as follows;

Adverse impact on landscape, visible over a large area

Alternative sites away from residential dwellings & children's nursery (No 25 Stonehenge Road) with less impact on landscape would be more appropriate

Perceived and possible health hazards (high number of cancer sufferers in village). Cumulative affect of electricity cables, telephone lines, and army communication systems. The Stewart Report does not categorically state that there is no risk to health

Loss of residential amenity, infringement on human rights, mast located to rear of residential gardens, blighting skyline, loss of view

Impacting on saleability of dwellings/devalue

Flight path hazard

Why were other sites discounted? Site of convenience for company? (cheap access to roads and services without considering environment or residents)

2 Petitions objecting to health risk in close proximity of residential dwellings, leisure amenities and nursery (197 signatures)

Parish Council response Object

Unsuitably in this location at the entrance to the village especially during the winter months

Potential health hazard for residents of Stonehenge Road living close to the installation

MAIN ISSUES

Siting and design, health

POLICY CONTEXT

Adopted SDLP policies G2 (general), PS7 (Telecommunications), C3 (The rural environment)

PPG8: Telecommunications (2001)

PLANNING CONSIDERATIONS

Siting and appearance

The proposed 15m high mast supporting 3 panel antennas and equipment cabins at ground level will be located to the rear of the Durrington Walls Telephone Exchange. The applicant, “3” is licensed for the provision of a Third Generation Mobile Telecommunications network and has a specific obligation to develop and maintain a new mobile telecommunications network across the UK (to cover 80% of the UK population by 2007). The site has been selected at this location to provide “3” with third generation coverage for the inhabitants of Durrington and surrounding road network including the A3048 and the A345.

Consultation was undertaken with the local community and other stakeholder groups by the agent, Crown Castle prior to submission of the application. During the course of this process, a number of alternative sites were put forward as possible alternatives to Durrington Walls Telephone Exchange. These were considered and dismissed as either being located too far from the required coverage area and therefore unable to provide sufficient coverage to Durrington, or would require the development of much higher masts within the Stonehenge World Heritage Site to which English Heritage would object, and would be contrary to policy PS7 which states that development will only be permitted in the WHS where technical considerations means that there are no satisfactory alternative locations available. In addition, policy C3 states that development required for the efficient provision and operation of public utilities in the countryside will be permitted where such development cannot be located within a settlement.

With regards to concerns over loss of value of houses from the proposed development, this is not a material planning consideration. The material question is whether the proposal would have a detrimental effect on the locality generally, and on amenities, that ought in the public interest be protected. The supporting text to policy PS7 of the Adopted SDLP states that in considering proposals for new telecommunications development, the Local Planning Authority will take into account the impact of the proposal on the environment and residential amenity, protecting as far as possible the appearance of buildings, settlements and the countryside from unsightly telecommunications apparatus.

The proposed site will be to the rear of the telephone exchange buildings, against a backdrop of trees, with additional trees to the west of the site in between the footpath and main road. English Heritage considers that the proposed mast will have no adverse affect on either the World Heritage Site or Durrington Walls Scheduled Monument.

The mast will be visible from the two storey dwellings to the south east and across the car park from Stonehenge road and the A3028. However, it will be separated from the dwellings by the existing telephone exchange building. There are also wooden telegraph poles and power lines within the vicinity of the site, and it is not considered that a solid timber clad monopole will look out of place in this location.

Health

Considerable local concerns have been raised with regards to health effects of telecommunications development.

The application includes a Radio Frequency Compliance Report addressing the issues of public exposure to radio frequency electromagnetic fields from all transmitting equipment located (and currently proposed to be located) at the site.

The applicants have declared that their proposal complies with the EU Health Council recommendations for limiting exposure of the general public to electromagnetic fields (0Hz to 300 GHz). The EU recommendations are based on the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines. Paragraph 98 of PPG8 states that if a proposed development meets the ICNIRP guidelines for public exposure (as recommended by

Stewart on a precautionary basis) it should not be necessary for a planning authority, in processing an application, to consider further the health aspects and concerns about them.

CONCLUSION

It is considered that the proposed siting, and appearance of the mast (solid timber clad monopole) is sympathetic to the area, without significant detrimental impact on the surrounding landscape and residential properties. The proposal complies with the ICNIRP guidelines for public exposure to electromagnetic fields and SDC's precautionary policy on telecommunications and health.

RECOMMENDATION: That approval be granted for the development in accordance with the details submitted

For the following reasons:

The details of the siting, design and materials as submitted do not constitute a significant detrimental impact on the surrounding landscape and residential properties. The proposal also complies with ICNIRP guidelines for public exposure to electromagnetic fields and Salisbury District Council's precautionary policy on telecommunications and health and adopted Salisbury District Local Plan policies PS7 and advice of PPG8.

NOTES: