

# LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING COMMITTEE

## SOUTHERN AREA & 23 OCTOBER 2003

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

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

ITEM NO	APPLICATION NO OFFICER	LOCATION	REC	PARISH / WARD	PAGE NOS	WARD & COUN- CILLORS	NOTES
---------	------------------------	----------	-----	---------------	----------	----------------------	-------

Item	Application No. Office	Applicant's Name Location	Rec	Parish/Ward	Page Nos.	Ward Councillors
<b>1 SV</b>	<b>S /2003 / 1694</b> Mr O Marigold	MR & MRS P CROUCH FIELDFARE QUAVEY ROAD REDLYNCH	REF	REDL	2-4	DOWNTON & REDLYNCH Cllr Anderson Cllr Leo Cllr Mrs Peach
<b>2</b>	<b>S / 2003 / 1782</b> Mr O Marigold	ALAN LOVERING FORD MILL FORD	REF	LAVE	5-7	LAVERSTOCK & CLARENDON PARK Cllr Bissington Cllr McLennan
<b>3</b>	<b>S / 2003 / 1863</b> Mrs J Wallace	MR P MORRIS 5 BENNETT CLOSE REDLYNCH	REF	REDL	8-9	DOWNTON & REDLYNCH Cllr Anderson Cllr Leo Cllr Mrs Peach

Agenda Item 7

<b>4</b>	<b>S / 2003 / 1515</b> Mr R Hughes	MS B BONACDAR THE FORMER REDLYNCH GARAGE MORGANSVALE REDLYNCH	APPC	REDL	10-14	DOWNTON & REDLYNCH Cllr Anderson Cllr Leo Cllr Mrs Peach
<b>5</b>	<b>S / 2003 / 1516</b> Mr R Hughes	MS B BONACDAR THE FORMER REDLYNCH GARAGE MORGANSVALE REDLYNCH	APPC	REDL	15-18	DOWNTON & REDLYNCH Cllr Anderson Cllr Leo Cllr Mrs Peach
<b>6</b>	<b>S / 2003 / 1578</b> Mr P Jackson	P BIALEK CB SKIPS ST THOMAS FARM LONDON ROAD	A106	LAVE	19-20	LAVERSTOCK & CLARENDON PARK Cllr Bissington Cllr McLennan
<b>7 SV</b>	<b>S / 2003 / 1686</b> Mr R Hughes	R STANTON MAY COTTAGE HOMINGTON	APPC	COOM	21-22	EBBLE Cllr Rycroft
<b>8 SV</b>	<b>S / 2003 / 1722</b> Mr R Hughes	LOGIC MARKETING UK LTD TWIN ASH THE GREEN PITTON	A106	PITT	23-27	WINTERSLOW Cllr Devine Cllr Moss
<b>9 SV</b>	<b>S / 2003 / 1734</b> Mr R Hughes	MR B BARTLET BEDMINS SPRAYS THE STREET WHITEPARISH	A106	WHIT	28-31	ALDERBURY & WHITEPARIS Cllr Mrs Bissington Cllr Britton Cllr Randall
<b>10</b>	<b>S / 2003 / 1754</b> Mrs J Wallace	WILTSHIRE COUNTY COUNCIL WHITEPARISH LANDFILL SITE WHITEPARISH	APPC	WHIT	32-34	ALDERBURY & WHITEPARISH Cllr Mrs Bissington Cllr Britton Cllr Randall
<b>11</b>	<b>S / 2003 / 1845</b> Mrs J Wallace	MRS L HENDERSON WHITES FARM LAND NEWTON LANE WHITEPARISH	APPC	WHIT	35-37	ALDERBURY & WHITEPARISH Cllr Mrs Bissington Cllr Britton Cllr Randall
<b>12</b>	<b>S / 2003 / 1913</b> Mrs J Wallace	MR & MRS NORMAN BANNISTER BARN NEWTON LANE WHITEPARISH	A106	WHIT	38-41	ALDERBURY & WHITEPARISH Cllr Mrs Bissington Cllr Britton Cllr Randall

# 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**

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

---

<b>1</b>	<b>Case Officer</b> <b>Mr O Marigold</b>	<b>Contact No</b> <b>01722 434293</b>	
----------	---	--	--

S/2003/1694	08/08/2003 10:02:29	03/10/2003 10:02:29	MR & MRS P CROUCH
REDL			JOHN COLEMAN RIBA
Easting: 420491.7	Northing: 120693		

PROPOSAL:	FULL APPLICATION - REPLACEMENT OF EXISTING DWELLING WITH NEW DWELLING AND ONE NEW DWELLING IN THE GARDEN AND CONSTRUCTION OF NEW AND ALTERATION TO EXISTING ACCESS
LOCATION:	FIELDFARE QUAVEY ROAD REDLYNCH SALISBURY SP5 2HL

### REASON FOR REPORT TO MEMBERS

Contrary to PC's recommendation

### SITE AND ITS SURROUNDINGS

The site consists of a relatively large plot within the New Forest Heritage Area Housing Policy Boundary. There is presently a 'chalet' bungalow on the site. The surroundings consist of residential development with rural characteristics. The site borders onto, and encroaches into, the open countryside of the New Forest.

### THE PROPOSAL

The application proposes the erection of two dwellings. Of the two, one would be relatively large, with a height of around 8 metres and a width of around 20 metres. The second, smaller, dwelling includes an element outside the Housing Policy Boundary.

### PLANNING HISTORY

None relevant

### CONSULTATIONS

WCC Highways	- Object – insufficient frontage to enable satisfactory access. Horizontal alignment of access would result in excessive manoeuvring on the highway
Southern Water Authority	- Comments awaited
Environment Agency	- No comment

## REPRESENTATIONS

Advertisement	No	
Site Notice displayed	Yes	expired 11/09/03
Departure	Yes (if approved)	
Neighbour notification	Yes	expired 01/09/03.
Neighbour response backland	Yes	issues raised – (a) imposing impact (b) development (c) loss of privacy
Parish Council response	Yes	Redlynch Parish Council - support

## MAIN ISSUES

Design and Impact on New Forest Heritage Area; impact on neighbouring properties; impact on highway safety, provision for public open space.

## POLICY CONTEXT

D2, G2, HA1, HA2, HA4, H23, R2

## PLANNING CONSIDERATIONS

### Design and Impact on New Forest Heritage Area

Within the Housing Policy Boundary, the replacement of one dwelling is normally considered acceptable, subject to certain criteria. Furthermore, infill development resulting in one additional dwelling is also acceptable in principle. In this instance, however, a significant part of one proposed dwelling would fall outside this boundary and within the open countryside of the New Forest Heritage Area.

In addition to this, it is considered that the size and height of the northern proposed dwelling is excessive. The site is prominent from the east and, with the provision of the additional driveway and loss of some of the boundary treatment, this northern dwelling would be more visible in the street scene. Furthermore, its design is considered to be unattractive, and it would not be a positive addition to the area.

### Impact on neighbouring properties

The proposed northern dwelling would be positioned in close proximity to the dwelling to the north, The Bungalow. As its name suggests, this is a single storey property with relatively limited garden area. It is considered that the position of the larger new dwelling would result in a harmful dominating impact on this property, to the detriment of the occupiers of that property. In addition, a gravel driveway is proposed along the northern boundary of the site, again in close proximity to 'The Bungalow'. This would further harm the living conditions of this property

The impact on the other adjoining dwelling, Hillcrest, has also been considered. However, the proposed dwelling to the south would not be as large and its positioning would not result in a dominating effect on this neighbour. The existing driveway would be utilised so there would not be greater harm than currently exists in this respect. Consideration has been given to any loss of privacy, but both new properties would have windows that would not face directly into adjoining properties' gardens or windows.

### Impact on Highway Safety

The proposed additional driveway would result in additional and excessive manoeuvring on the highway and would also have inadequate visibility splays. The development would therefore result in harm to highway safety and this warrants refusal in its own right.

### Provision for public open space

Policy R2 requires a financial contribution towards public open space. This needs to be provided through a s106 agreement. Because the application is being refused for the reasons explained above, no s106 agreement has been sought or provided. The lack of open space must form a reason for refusal to allow the Authority to defend its requirement at appeal if an agreement is not forthcoming.

## CONCLUSION

The proposal is unacceptable in terms of its design and impact on the open countryside and the additional level of urbanisation it imposes on the New Forest Heritage Area. It would also harm neighbouring properties' amenities and would result in harm to highway safety as currently proposed.

**RECOMMENDATION:**                    **REFUSE** for the following reasons:

1 The proposed southern dwelling, in that it would result in residential development outside the defined New Forest housing policy boundary, would result in an additional urbanisation of the New Forest Heritage Area and the open countryside, harming its rural characteristics, contrary to policies HA1, HA2 and H23 of the Salisbury Local Plan.

2 The proposed northern dwelling, by reason of its excessive size, height and unimaginative design, would have an adverse impact on the character of the area. In this respect it would be contrary to policies HA2, HA4 and D2 of the Salisbury District Local Plan.

3 The proposed northern dwelling, by reason of its positioning, close proximity to the adjoining property and excessive size, would have a dominant and overbearing impact on the adjoining property. Furthermore, the driveway serving this property, by reason of its close proximity to the adjoining property, would result in noise and disturbance to this property. Consequently, the proposed dwelling and driveway would harm residential amenity and be contrary to policies G2 and D2 of the Salisbury Local Plan.

4 The proposed development, by reason of the positioning of the access, would have inadequate visibility splays and would result excessive manoeuvring on the highway, harming highway safety. The development would therefore be contrary to policy G2 of the Replacement Salisbury Local Plan.

### INFORMATIVE: - POLICY

This decision has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan: D2, G2, HA1, HA2, HA4, H23, R2

---

### NOTES:

S/2003/1782	18/08/2003 15:04:55	13/10/2003 15:04:55	ALAN LOVERING
LAVE		II	NEW SARUM PARTNERSHIP
Easting: 416463.7	Northings: 132934		

PROPOSAL:	FULL APPLICATION - DEMOLITION OF EXISTING DUTCH BARN AND OUT BUILDINGS CONSTRUCTION OF NEW MIXED USE BUILDING CONTAINING ADDITIONAL LIVING ACCOMMODATION DISPLAY AREA STABLING GARAGE AND STORES ACCOMMODATION FOR 'DEPENDANT PERSONS'
LOCATION:	FORD MILL FORD SALISBURY SP4 6DN

### REASON FOR REPORT TO MEMBERS

Contrary to PC's recommendation

### SITE AND ITS SURROUNDINGS

The property currently consists of a grade II listed house (the mill) with an existing large pole barn around 18 metres away from the house. The site is in close proximity to the River Bourne and is within the AHEV, outside the HRA.

### THE PROPOSAL

The application proposes demolition of the existing pole barn and its replacement with a new building of reduced height and width. The building would be used for living accommodation including bedrooms, living room, kitchen, study, tack room, garage and an area shown as 'museum', which it is understood would be effectively storage, rather than a separate use in its own right. The 'museum' area would only be open to members of the public for a few days a year. The applicants have indicated that this area would be used for dependant accommodation for (unspecified) members of the owner's family.

### PLANNING HISTORY

None

### CONSULTATIONS

- |   |  |
|---|--|
| WCC Highways<br>County Archaeology Service<br>Biological Records Centre<br>on | - no objection subject to 'dependant' use<br>- no objection<br>- protected species, specifically water voles, may be present   |
| English Nature  | this site.<br>- would be concerned regarding pollution during and after construction. Recommend that the applicant produce a method statement detailing risks and how they would be overcome. The works would not appear to affect any bankside habitat of protected species |
| Environment Agency  | - currently raise a holding objection. However, comments on additional information are awaited.  |
| Conservation Team   | - existing Dutch barn is ungainly and its removal would be an improvement. The replacement barn is sensitively designed and would not detract from the listed building.  |

## REPRESENTATIONS

Advertisement	Yes	expires 18/09/03
Site Notice displayed	Yes	expires 18/09/03
Departure	Yes (if approved)	
Neighbour notification	Yes	expires 10/09/03
Neighbour response	Yes	5 letters of support
Parish Council response	Yes	Support provided remains as one unit, no commercial use, concerns regarding flooding

## MAIN ISSUES

Principle of development, impact on character of area and adjacent listed building, impact on flooding, impact on protected species and Nature Conservation.

## POLICY CONTEXT

G1, G2, G4, C11, C12, C18, CN3, H23, H33

## PLANNING CONSIDERATIONS

### Principle of development

The proposed building includes facilities to enable the building to be capable of independent use. Although it has been indicated that the building would be used by dependants of the existing dwelling, it has not been specified who would use the building. Even if this were known, policy H33 emphasises that separate units of living accommodation for dependant people are only usually acceptable where an extension or the conversion of an existing building is proposed. This application proposes neither.

If the application were to be approved, with a condition (or section 106 agreement) requiring dependant use, it would be very difficult for the Authority to resist a future application for the removal of such a tie. There would be no means of securing the re-absorption of the building into the existing accommodation once the need for dependant accommodation has ceased. Therefore, this application must be considered as being for a new dwelling in the open countryside.

While the conversion of existing buildings to residential uses may, in some circumstances, be acceptable, this is only where the existing building is of good quality and can be retained without significant re-building. Although it is recognised that the loss of the existing barn is to be welcomed, in broad terms this does not mean that its replacement with another building should be accepted. While large buildings for agricultural uses are seen as necessary for the rural economy and are part of the character of the countryside, the erection of replacement non-agricultural buildings has no such justification.

The proposed replacement building would be large and includes a level and scale of accommodation not normally required for dependant persons. Overall, it is considered that the erection of what is tantamount to a new dwelling in the open countryside is clearly contrary to national policy, and local policy H23.

### Impact on the character of the area and the adjacent listed building

When compared with the existing building, the proposed building would represent general improvement to the character of the area and.

However, as has been explained above, the presence of a large agricultural building, does not provide justification for the erection of large replacement non-agricultural building. If the presence of the pole barn is discounted, the proposed building would be considered unacceptable because of its size and physical impact on the open countryside. The proposed building would result in the long-term retention of a large building on the site, while the existing building would be expected to be removed over time.



### **Impact on flooding**

At present the Environment Agency have raised a holding objection, although additional information has been sent to the Agency and any withdrawal of the objection will be updated to committee. Until the Authority can be satisfied that there will not be an increased flood risk, this will form a reason for refusal.

### **Impact on protected species and Nature Conservation**

A number of relevant agencies have raised the issue of effects on protected species. The Environment Agency, English Nature and the Swindon and Wiltshire Biological Records Centre have raised concerns regarding the presence of water voles while English Nature have also expressed concern regarding the presence of bats and badgers on the site. While some of these species are also protected by other legislative licences requirements, they remain a material consideration with regard to this application.

The applicants have not submitted the level of information required by the relevant bodies to assess the impact of the proposal on protected species or on the nature conservation interests of the river bank. This must also form a reason for refusal.

### **CONCLUSION**

The proposed development effectively represents a new dwelling in the countryside, despite the applicant's description of the building as being for the use of dependant people. Although the proposal would result in the loss of an existing unattractive barn, this advantage is not considered sufficient to overcome the clear policy objections to new dwellings in the open countryside. In that the proposal would result in the long-term retention of a large building on the site (ie the new building), it would harm the rural characteristics of the area. In addition, insufficient information has been submitted to satisfy the Authority that the proposal would not harm the flooding capacity of the area, protected species and nature conservation interests.

### **RECOMMENDATION: REFUSE for the following reasons:**

1 The proposed development would consist of a large unit of residential accommodation, with facilities capable of independent use in a new building separate to and some distance from the existing dwelling, which could not be re-absorbed into the existing accommodation at a later date. It is therefore considered to be tantamount to the erection of a new dwelling in the countryside. Such a dwelling would be harmful to the rural character of the open countryside and would adversely affect the character and setting of the adjacent listed building and would be contrary to policies G1, G2, H33, CN3 and H23 of the Replacement Salisbury District Local Plan.

2 Based on the information provided it has not been demonstrated, to the satisfaction of the Local Planning Authority, that the proposed development would not be at risk from flooding and that it would not increase the risk of flooding. In this respect, the proposed development would be contrary to policy G4 of the Replacement Salisbury District Local Plan.

3 Based on the information provided it has not been demonstrated, to the satisfaction of the Local Planning Authority, that the proposed development will not harm the Nature Conservation Interests, including protected species, of the River Bourne Site of Special Scientific Interest and candidate Special Area of Conservation, or the Area of High Ecological Value. In this respect, the proposal would be contrary to policies C10, C11 and C12 of the Replacement Salisbury District Local Plan.

### **INFORMATIVE: - POLICY**

This decision has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan: G1, G2, G4, C11, C12, C18, CN3, H23, H33

---

### **NOTES:**

S/2003/1863	29/08/2003	24/10/2003	MR P MORRIS
REDL			ELLIS FINNISS CONSULTANTS
Easting: 419713.5	Northings: 120963.1		

PROPOSAL:	FULL APPLICATION - FIRST FLOOR RESIDENTIAL EXTENSION
LOCATION:	5 BENNETT CLOSE REDLYNCH SALISBURY SP5 2HX

**REASON FOR REPORT TO MEMBERS**

Contrary to PC's recommendation

**SITE AND ITS SURROUNDINGS**

A two-storey detached brick house in a prominent position in the street scene within the small cul-de-sac of similar dwellings

**THE PROPOSAL**

It is proposed to erect a first floor extension to the side of property, over the existing garage. It would extend approximately 6.5metres from the side of the existing dwelling and would be set approximately 1metre forward of the main front elevation. It would provide three additional bedrooms over the ground floor rooms

**PLANNING HISTORY**

80/0033	O/L residential development + access	AC	21.05.80
81/0624	Erection of house & garage	R	24.06.81
81/1161	Erection of houses & garages with new road, sewers & access	R	
82/0142	Erection of 7 houses, garages, roads, sewers & access	AC	
84/0079	Houses and garages (amendments to original design at plots 3,4,5 & 7)	AC	
96/0934	Alteration to front garden and erection of wall at No. 3	AC	
99/0283	Two storey side addition, removal of existing conservatory no.6	AC	

**CONSULTATIONS**

None

**REPRESENTATIONS**

Advertisement	No
Site Notice displayed	Yes expiry date 2/10/03
Departure	No
Neighbour notification	Yes expiry date 23/09/03
Neighbour response	none
Parish Council	Support

**MAIN ISSUES**

Scale and design  
Impact on neighbours

## **POLICY CONTEXT**

G2, D3 and H16 of Adopted Salisbury District Local Plan June 2003

## **PLANNING CONSIDERATIONS**

### **Design**

This dwelling is within an established residential area of mixed ages and styles. This proposal is to extend the dwelling to the side to provide an addition above the garage. The extension is proposed to be constructed with a hipped roof and a front gable which would protrude forward of the main dwelling. The proposed extension would dominate the front elevation of the dwelling and because of its location within the close be very prominent in the street scene.

The proposed extension is not considered to be in keeping with the appearance of the existing detached dwelling or the cul-de-sac where other extensions are subordinate to the main dwelling and it is also considered to be unsympathetic to the character and appearance of the existing dwelling and unsympathetic to its design.

### **Impact on neighbours**

The adjacent dwelling, no6 Bennett Close, would be largely unaffected by the proposal in terms of overlooking and overshadowing and the extension though of a significant size will extend only over the existing garage.

## **CONCLUSION**

On balance, given the size, design and location of the extension, it is considered that its scale, mass, design and siting are inappropriate to the existing dwelling, out of sympathy with the appearance and character of the existing dwelling

**RECOMMENDATION:**                    **REFUSE** for the following reasons:

(1) The proposed extension would by reason of its size, bulk, design, and having regard to its prominent siting, would appear as an unduly dominant and alien feature in the street scene, out of character with the existing house and eroding the character of the street scene, thereby being detrimental to the character of the area. The proposal would therefore be contrary to policies G2, D3 and H16 of the Adopted Salisbury District Local Plan June 2003

### **INFORMATIVE:**

This decision has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan G2, D3 and H16

---

## **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			

---

<b>4</b>	<b>Case Officer</b> <b>Mr R Hughes</b>	<b>Contact No</b> <b>01722 434382</b>	
----------	---	--	--

S/2003/1515	16/07/2003 09:54:26	10/09/2003 09:54:26	MS B BONACDAR
REDL			WESSEX DESIGN
Easting: 419895.4	Northing: 121155		

PROPOSAL:	CHANGE OF USE - FROM EXISTING A1 SHOP AND POST OFFICE TO PROPOSED A3 PIZZA TAKEAWAY
LOCATION:	THE FORMER REDLYNCH GARAGE MORGANSVALE REDLYNCH SALISBURY SP5 2HE

#### REASON FOR REPORT TO MEMBERS

Members deferred this item at the last SAC for more information regarding:

1. The comments/viewpoint of EHO, and information regards previous complaints
2. Further clarification from WCC Highways regarding night time use and suitability of parking provision
3. Investigation by Enforcement regards previous conditions

The following report has been amended to incorporate the information received at the time of writing.

#### SITE

The site is located on Bowers Hill, formerly the Redlynch Garage. The post office is now vacant, and there is a parking area available to the east of the building. The post office itself is flanked by two takeaways.

#### PROPOSAL

It is proposed to change the use of the shop to an A3 pizza takeaway. This proposal is intrinsically linked with application S/03/1516, which relates to the conversion of the former mail sorting office previously associated with the post office use.

## CONSULTATIONS

WCC Highways - (Revised response) Recent investigations in respect of the available parking within the site indicate that the car park is not fully utilised in the evenings. There is however some evidence that customer picking up take-away food park within the main road against the interests of highway safety. Therefore, you may consider that in respect of 03.1515 a sign should be prominently displayed within the shop to encourage customers to use the proper parking facilities.

Environmental Health - (Revised response) The proposed ground floor takeaway has existing residential accommodation above on the first floor the occupiers of which could suffer detriment caused by smells, noise, and general disturbance, particularly during unsociable hours. Therefore: 1. The use should be restricted to 8am to 10pm (or in line with any opening hours imposed on the adjacent restaurant and takeaway, if these are more restrictive), and 2. A scheme be submitted for the control of fumes and for the sound insulation of that equipment. (See also section below regards impact on amenity for further comments).

## REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes. Expiry 14/8/03
Departure	No
Neighbour notification	Yes. Expiry 7/8/03
Neighbour response	Yes. Two letters objecting to the proposal due to loss of facility within walking distance, overdevelopment of the site, impact on amenities, no need for a takeaway, highways dangers, will lead to sewer/disposal problems
Parish Council response	No comment

## MAIN ISSUES

1. Principle and planning history
2. Impact on surrounding amenities
3. Impact on highway safety

## POLICY CONTEXT

G1 G2 PS1 PS3 SDLP

## PLANNING CONSIDERATIONS

### Principle and Planning History

From anecdotal evidence on previous files, the post office use seems to have been operating for a number of years during the 1990's as part of the petrol station shop, with a retrospective application for the shop use being submitted in 1998 (S/98/1057).

The shop unit is currently vacant, and the agent for the application has indicated in writing that the main reason for this is that the last occupier of the post office has "disappeared abroad leaving a number of debts". Whilst the agent has also indicated that the post office use may have been unviable due to other similar facilities in the area, this vacation of the property by the occupier appears to be main reason for the business closing, rather than any detailed evidence that it may be unviable.

Policy PS3 seeks to protect local services, and in particular seeks to protect those services which provide a community facility central to the economic or social life of the settlement. The policy goes on to state that such changes of use will only be permitted where the applicant can prove that the current or previous use is no longer viable.

With regards to the above policy, it is considered that the agent has not proved that the post office use was/is unviable, with no financial or other empirical evidence being submitted to substantiate his claims.

However, there are other post office uses in the surrounding area, albeit a significant distance from this site. Secondly, the post office use only appears to have been operating since the mid

1990's, and then only intermittently. Thirdly, the Parish Council have raised no comments regarding the proposal, and whilst comments/objections have been received, the response from the local community does not seem to indicate that a facility central to the social/economic life of the settlement has been lost. Lastly, the post office use would be replaced by an A3 takeaway, which would create a new village facility, and be in accordance with PS1.

As a consequence, based on the above evidence, and the fact that there are other post offices in Downton and in nearby Woodfalls, it is considered that a facility central to the economic or social life of the settlement is not being lost in this instance.

### **Impact on amenities**

The Council's EHO has further investigated the issues surrounding this site and its uses at the request of Members. The EHO has confirmed that no complaints have been received regarding the existing A3 uses since May 2003 (which related to noise from the PO alarm). In April 2003 a complaint was received regards rats in the flat above the A3 uses, and in January 2003 the EHO investigated a complaint regards a blocked drain due to food in the drains which allegedly came from the Tandoori. The EHO points out however that this was at the time of the floods. They record any earlier complaint in May 2002 relating to general nuisance from the takeaway.

With regards to the blocked drains issue, the EHO comment that there have been no further drainage problems since the floods at the beginning of the year, and it is only if one of the businesses tried to flush food waste down the drain that a blockage may occur.

On the matter of bins/refuse, the EHO indicates that both existing A3 uses have their own SDC bulk bin stored in the car park. By collection day the bins are often full to overflowing and excess refuse is stacked to one side. Once the refuse is collected, the bins and bin area should be hosed down. The EHO has indicated that a purpose built storage building for refuse will solve this problem and in fact, considers that a permanent bin area may make matters worse by becoming a harbourage for rodents. Each business should have sufficient bins for their refuse for which they are responsible for maintaining in clean condition.

The EHO has commented that it considers that the opening of the proposed takeaway would not make matters any worse providing the hours of use are restricted to those imposed on existing adjacent uses. It further concludes that each business has sufficient bins for their waste and excessive food waste must not be disposed of down the drains.

Whilst concerns have been received from adjacent neighbours regarding the impact of the takeaway use on adjacent properties and amenities, given that the units either side of the application site are currently used for A3 restaurant/takeaway uses, it is considered that the use of this unit for a similar use could not be objected to, subject to suitable conditions to limit the operation of the use, and hence its harm to adjacent residential amenities.

Application S/98/0449 and S/00/1448 were both made subject to a condition restricting the use to 8am to 11pm Monday to Saturday, and 9am to 1030pm on Sundays.

Therefore, it is considered that opening hours of 8am to 10pm suggested by the EHO would not be reasonable in this instance.

### **Highways**

Whilst there appears to have been highway concerns relating to this site in the past relating to the other changes of use, WCC Highways has not objected to the proposal, and the site benefits from a large 24 car parking area to the east, which is already used by the adjacent A3 uses, and WCC Highways feels is adequate, having observed the site during the evening. County's accident report indicates that there has been one minor accident on Bowers Hill in 2001, which does not appear to relate to the access to the application site.

It is considered that provided the adjacent car park is used by users of the proposed takeaway, and that measures are put in place to restrict parking/waiting in front of the takeaway, then the use would have no more impact on adjacent amenities than the existing A3 uses adjacent to the site.

### **Compliance with previous Conditions**

This site has a long planning history, the planning decisions for which contain numerous conditions.

The two existing A3 uses were granted consent by virtue of permission S/98/0449 and S/00/1448. Both permissions contain numerous conditions, mostly relating to the surfacing of the car park area, the laying out of car park spaces, and works to create the existing access points. Conditions were also imposed relating to restricting the hours of use for the A3 uses.

It would appear from a cursory glance of the files that most of the conditions have been complied with, although it appears that in some instances, whilst requested details have not apparently been submitted, the actual works requested have been undertaken on the ground (ie highway and landscaping works). WCC Highways have not raised any comments or concerns regarding the construction of the accesses/footpaths etc.

One matter that appears never to have been built is the permanent bin store shown not only on the approved plans for the two A3 uses, but also repeated on the recent submitted plans. However, it is now unclear as to whether such bin stores are a positive step given recent EHO comments as outlined above.

### **CONCLUSION**

Whilst the applicant has not proven that the post office is/was unviable, the use does not appear to have been central to the economic or social life of the settlement. Furthermore, given that there are already two existing A3 uses adjacent to this unit, it is considered that subject to restrictive conditions, the refusal of a further, small scale A3 use would be difficult to support.

**RECOMMENDATION:**                    **APPROVE** subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (A07A)

REASON: 0004 To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2 The car park on the south-eastern side of the premises shall be made available for the use of customer and staff parking (and the adjacent uses in the adjacent units either side of the application site).

REASON:0052 In the interests of highway safety.

3 The use hereby permitted shall not be open to customers outside the following times: 8.00am to 11.00pm Monday to Saturday, and 9.00am to 10.30pm on Sundays.

REASON: In the interest of amenity

4 Prior to commencement of the use hereby permitted a scheme shall be submitted to and approved in writing by the Local Planning Authority to discourage vehicles parking immediately in front of the proposed takeaway on the public highway. The approved scheme shall be implemented before the use commences, and such measures shall be maintained thereafter.

REASON: 0052 In the interests of highway safety.

5 Before commencement of the development hereby permitted there shall be submitted to and approved by the Local Planning Authority a scheme for the insulation against noise emissions of extraction equipment. Such scheme as is approved shall be implemented to the satisfaction of the Local Planning Authority before any part of the development is brought into use (opens for trading). (M22A)

REASON: In the interest of amenity

6 No development shall take place until a scheme/schemes for the control of fumes from extractor fans and equipment (and for the sound insulation of that equipment) have been submitted to and approved by the Local Planning Authority; and the development shall not be brought into use until that scheme/those schemes have been implemented in accordance with the approved details. (M23A)

REASON: In the interest of amenity

7 The premises shall be used for a Class A3 takeaway / restaurant and for no other purpose (including any other purpose in Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). (V01A)

REASON: In the interest of amenity

#### INFORMATIVE

1.This permission has been taken in compliance with the following policies of the adopted Salisbury District Local Plan; G1 G2 PS1 PS3

---

#### NOTES:



S/2003/1516	17/07/2003 10:05:10	11/09/2003 10:05:10	MS B BONACDAR
REDL			WESSEX DESIGN
Easting: 419895.4	Northing: 121155		

PROPOSAL:	CHANGE OF USE - FROM ROYAL MAIL SORTING OFFICE TO B1 OFFICE
LOCATION:	THE FORMER REDLYNCH GARAGE MORGANSVALE REDLYNCH SALISBURY SP5 2HE

## REASON FOR REPORT TO MEMBERS

Members deferred this item at the last SAC for more information regarding:

- 1 The comments/viewpoint of EHO, and information regards previous complaints
- 2 Further clarification from WCC Highways regarding night time use and suitability of parking provision
- 3 Investigation by Enforcement regards previous conditions

The following report has been amended to incorporate the information received at the time of writing.

## SITE AND ITS SURROUNDINGS

The site is located on Bowers Hill, formerly the Redlynch Garage. The post office is now vacant, and there is a parking area available to the east of the building. The post office itself is flanked by two takeaways.

## PROPOSAL

Conversion of the former mail sorting office previously associated with the post office use.

This proposal is intrinsically linked with application S/03/1515, which relates to the change of use of the shop to an A3 pizza takeaway, in that the removal of the sorting office would be likely to have an adverse impact on the operation/viability of the post office use.

Consequently, this report contains direct references to the other associated application S/03/1515.

## CONSULTATIONS

WCC Highways - (Revised response) Recent investigations in respect of the available parking within the site indicate that the car park is not fully utilised in the evenings. There is however some evidence that customer picking up take-away food park within the main road against the interests of highway safety. Therefore, you may consider that in respect of 03.1515 a sign should be prominently displayed within the shop to encourage customers to use the proper parking facilities.

Environmental Health - The adjacent residential uses could suffer detriment caused by general disturbance, particularly during unsociable hours. Therefore the use should be restricted to 7.30am to 10pm.

## REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes. Expiry 14/8/03
Departure	No
Neighbour notification	Yes. Expiry 7/8/03
Neighbour response	Yes. Two letters objecting to the proposal due to loss of facility within walking distance, over-development of the site, impact on amenities, no need for a takeaway, highways dangers, will lead to sewer/disposal problems
Parish Council response	No comment

## MAIN ISSUES

1. Principle and planning history
2. Impact on surrounding amenities
3. Impact on highway safety

## POLICY CONTEXT

G1 G2 PS1 PS3 SDLP

## PLANNING CONSIDERATIONS

### Principle and Planning History

From anecdotal evidence on previous files, the post office use seems to have been operating for a number of years during the 1990's as part of the petrol station shop, with a retrospective application for the shop use being submitted in 1998 (S/98/1057). Change of use from a Class B1 office/store to the (now vacant) royal mail sorting office was granted and occurred in 1998.

The shop unit and the associated sorting office is currently vacant, and the agent for the application has indicated in writing that the main reason for this is that the last occupier of the post office has "disappeared abroad leaving a number of debts". Whilst the agent has also indicated that the post office use may have been unviable due to other similar facilities in the area, this vacation of the property by the occupier appears to be main reason for the business closing, rather than any detailed evidence that it may be unviable. The applicant has further indicated that it is the standard procedure of Royal Mail to close any sorting office which may be associated with a close sub-post office.

Policy PS3 seeks to protect local services, and in particular seeks to protect those services which provide a community facility central to the economic or social life of the settlement. The policy goes on to state that such changes of use will only be permitted where the applicant can prove that the current or previous use is no longer viable.

With regards to the above policy, it is considered that the agent has not proved that the post office use was/is unviable, with no financial or other empirical evidence being submitted to substantiate his claims.

However, there are other post office uses in the surrounding area, albeit a significant distance from this site. Secondly, the post office use only appears to have been operating since the mid 1990's, and then only intermittently. Thirdly, the Parish Council have raised no comments regarding the proposal, and whilst comments/objections have been received, the response from the local community does not seem to indicate that a facility central to the social/economic life of the settlement has been lost. Lastly, the post office use would be replaced by an A3 takeaway, which would create a new village facility, and be in accordance with PS1.

As a consequence, based on the above evidence, and the fact that there are other post offices in Downton, and in nearby Woodfalls which is an adjoining settlement, it is considered that a facility central to the economic or social life of the settlement is not being lost in this instance.

Therefore, given that the sorting office use has only existed since 1998, and was previously in an office use, it is considered that the change of use of the sorting office to a B1 office would be acceptable, provided that the post office use had also ceased and had change to another use.

Consequently, it is considered that this change of use should not occur until the post office change of use subject of S/03/1515 has been implemented.

### **Impact on amenities**

Given that the property was previously used as an office, and the sorting office use would have been a similar type of use, it is considered that reversion back to B1 office use would have little or no impact on adjacent amenities.

The restrictions suggested by the EHO regards the hours of use have also been attached below.

### **Highways**

Whilst there appears to have been highway concerns relating to this site in the past relating to the other changes of use, WCC Highways has not objected to the proposal, having now reassessed the proposal with a visit during the evening.

The reversion to a small scale B1 office use is therefore unlikely to have any adverse impact on highway safety, and a refusal on highway grounds would be difficult to support given its previous office uses, and the comments of the County Council.

### **CONCLUSIONS**

This proposal to revert the use of the sorting office back to its previous B1 style office use would be unlikely to have any more impact on adjacent amenities or highway safety than the previous sorting office use. However, a Grampian style condition to delay the change of use of the sorting office until the use of the post office has been implemented is considered necessary to allow the possibility of the post office unit to re-open in future.

**RECOMMENDATION:**                    **APPROVE** subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (A07A)

REASON: 0004 To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2 The car park on the south-eastern side of the premises shall be made available for parking of vehicles for staff and customers of the premises (and the adjacent uses in the adjacent units either side of the application site).

REASON:0052 In the interests of highway safety.

3 The premises shall be used for a Class B1 Office and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). (V01A)

REASON: In the interest of amenity

4 The change of use hereby permitted shall not commence until the use of the vacant post office shop unit subject of planning application no. S/03/1515 has been implemented.

REASON: To ensure that the future re-use of the post office shop unit is not prejudiced.

5.The B1 office use hereby approved shall not take place outside the hours of 730am and 10pm.

REASON: 0023 In order that the Local Planning Authority may retain planning control over the use of the premises.

6 The premises shall be used for Class B1 offices and for no other purpose (including any other purpose in Class B1 or B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). (V01A)

REASON: 0023 In order that the Local Planning Authority may retain planning control over the use of the premises.

INFORMATIVE

1.This permission has been taken in compliance with the following policies of the adopted Salisbury District Local Plan; G1 G2 PS1 PS3

---

**NOTES:**

S/2003/1578	24/07/2003 15:49:07	18/09/2003 15:49:07	P BIALEK CB SKIPS
LAVE			T BLESZYNSKI
Easting: 416018.585706234	Northing: 131891.145952284		

PROPOSAL:	TO VARY CONDITION - VARIATION IN OPERATING HOURS TO PERMIT OPERATION TO START AT 0700 HOURS (PLANNING CONDITION 2 PERMISSION S/96/1684)
LOCATION:	ST THOMAS FARM LONDON ROAD SALISBURY SP1 3YU

### REASON FOR REPORT TO MEMBERS

Contrary to PC's recommendation

### SITE AND ITS SURROUNDINGS

The site is situated to the south of the main railway line and London Road at St Thomas Farm Salisbury. There is permission for the storage of aggregates and a waste transfer station and recycling centre on the site. The land is well screened by existing trees and the railway embankment.

### THE PROPOSAL

The present activities for the storage of aggregates and the waste transfer station are limited to an eight o' clock start on weekdays including Saturdays. The current application aims to gain a start time of 7.00a.m. for Waste Transfer and Recycling activities including deliveries on weekdays including Saturdays but will not include any working on Sundays or Bank Holidays. All work on the site will continue to finish at 18.00 on Mondays to Fridays and 13.00 on Saturdays.

### PLANNING HISTORY

Planning permission was granted for the Waste Transfer station under ref.S.96.1684 and the limits on hours of operation were set out in conditions 2 and 3 of this Full Planning Permission. Although condition 2 restricted the start time of transfer and recycling operations to 8.00 a.m. condition 3 allowed materials to be dispatched from the site at a 7.00 a.m. start time on Mondays to Saturdays each week. The 1996 application granted planning permission for development that allowed the waste transfer and recycling activities to take place within an existing farm building. Planning condition 4 of the permission required the submission of a scheme of control for noise emanating from the site.

### CONSULTATIONS

Environmental Health - No objection  
Wiltshire Highways - No objection

### REPRESENTATIONS

Advertisement No  
Site Notice displayed Yes Expired 28<sup>th</sup> August 03  
Departure No  
Neighbour notification Yes Expired 17<sup>th</sup> August 03  
Neighbour response No  
Parish Council response Yes Objection against increased disturbance to neighbours in Church Road Laverstock

## MAIN ISSUES

Harm to the residential character of neighbouring areas

## POLICY CONTEXT

G2 RSDLP June 2003 Land to the North of the Railway E2 and R14 RSDLP June 2003

## PLANNING CONSIDERATIONS

The development is considered to have minimal impact upon residential development in the vicinity of the site. The Parish Council are concerned that residential amenity will be harmed in Church Road Laverstock but these properties are located a significant distance away from the proposed development. Over such distances any noise generated at the site will be dissipated. If committee members consider that noise may continue to be a problem to near neighbours as a result of the proposed development condition 4 of the earlier 1996 application could be reimposed. A suitably worded condition could require a comprehensive review of the noise levels on the site. It must be stressed however that the Environmental Health Officer has no objection to the proposed development and despite public notice and neighbour notification no objections have been received.

The wording of the existing planning conditions limiting hours of operation on the site must also be taken into consideration. Since planning permission was granted in 1997 St. Thomas Farm transfer and recycling centre has been permitted to dispatch goods and materials at 7.00 a.m. This activity is not dissimilar from deliveries or recycling operations that are currently limited to an 8 'o clock start.

## CONCLUSION

The change of hours is considered acceptable, it would not have and adverse impact.

**RECOMMENDATION:** That subject to the applicants entering into a revised Section 106 Agreement the application be **APPROVED** subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (A07A)

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990. (0004)

2. Waste transfer and recycling operations, including deliveries, shall take place only between the hours of:

Monday to Friday	0800-1800
Saturday	0800-1300
Sundays and Public Holidays	No Use

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

3. This permission amends the planning permission granted under Council Ref: S/1996/1684 in respect of the hours of use. All other details of the development shall be as previously approved. This permission should, therefore, be read together with the previous permission and the other conditions applied thereto.

Reason: For the avoidance of doubt.

---

## NOTES:

S/2003/1686	07/08/2003	02/10/2003	R STANTON
COOM	CBI		R F S COUNTRY HOME BUILDERS
Easting: 412035.9	Northings: 126015.4		

PROPOSAL:	FULL APPLICATION - TWO STOREY AND SINGLE STOREY REAR EXTENSION ERECTION OF TWO BAY GARAGE AND WORKSHOP
LOCATION:	MAY COTTAGE HOMINGTON SALISBURY SP5 4NG

### REASON FOR REPORT TO MEMBERS

Members deferred the item at the last SAC for further consultation on amended plans and a site visit.

### SITE AND ITS SURROUNDINGS

The site lies within the Homington Housing Policy Boundary, the Area of Outstanding Natural Beauty and the Conservation Area.

The existing dwelling is a two storey detached thatched dwelling in painted render. There is a flat roofed single storey rear extension to the rear and a single storey porch to the eastern side. There is a collection of dilapidated garage/outbuildings located between the dwelling and the eastern boundary.

### THE PROPOSAL

It is proposed to erect a two storey rear extension to the western side of the dwelling and a single storey extension. A replacement garage building is also proposed.

### PLANNING HISTORY

None of relevance

### CONSULTATIONS

Conservation - Object to the original proposal. Response awaited regards amended plans.

### REPRESENTATIONS

Advertisement	Yes	Expiry 11/09/03
Site Notice displayed	Yes	Expiry 11/09/03
Departure	No	
Neighbour notification	Yes	Expiry 29/08/03
Neighbour response	Yes One letter of objection received regards original proposal.	
The existing fence is falling down and should be replaced to ascertain where the boundary is.		
The two storey extension will block light and the two garages will be straight in front of my study window. Response regards amended plans awaited.		
Parish Council response	No objection to amended plans, prefer slate roof version of single storey extension.	

### MAIN ISSUES

1. Impact of the proposed extension on existing house and wider Conservation Area.
2. Impact on amenities

## **POLICY CONTEXT**

G2, D3, CN8, C5 of the Salisbury District Local Plan

## **PLANNING CONSIDERATIONS**

### **Impact on character of cottage and wider conservation area**

The existing cottage is of modest scale, and its original character has remained remarkably intact, despite some modern extension and alteration.

It is considered that the bulk and scale of the original proposed extension would have radically altered the visual appearance of the cottage, and resulted in the loss of an attractive building.

The amended scheme has made several changes to the previous proposal, with the extensions now being rendered to match the existing dwelling, the two storey extension made shorter in length with a slightly hipped roof design, and changes to the fenestration.

The single storey lean to type extension has also be changed, with two slightly differing plans submitted for consideration, one with a glazed roof, and one with a slate roof. Either is considered acceptable.

Whilst the changes would alter the visual appearance of the rear of the cottage, it is considered that the proposed extensions would be sympathetic to and in keeping with the architectural style and appearance of the original cottage, and would preserve the character of the wider Conservation Area.

The proposed replacement garaging would be acceptable, and be an improvement in general terms over the existing dilapidated structures on site.

### **Impact on surrounding amenities**

Whilst the two storey extension would be quite large and close to the eastern boundary with next door, given the significant distance between the properties themselves and the large scale of the plots, the amenities of adjacent neighbours would remain unaffected in terms of overlooking/overshadowing or dominance.

The single storey extension and the garage block would have no adverse impact on amenities, given their small scale, and height, and distance from adjacent properties.

## **CONCLUSION**

The scheme as amended would be acceptable, and preserve the character of the cottage and the wider conservation area. Amenities would remain unaffected.

However, Members view on which of the slightly differing designs is more acceptable is sought.

**RECOMMENDATION:** **APPROVE**, subject to the following conditions:

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (A07A)

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990. (0004)

02 This development shall be in accordance with the submitted drawing[s] deposited with the Local Planning Authority on INSERT, as amended by the applicant's letter received on INSERT, unless otherwise agreed in writing by the Local Planning Authority. (B02A)

REASON:0007 For the avoidance of doubt.

---

## **NOTES:**



S/2003/1722	11/08/2003	06/10/2003	LOGIC MARKETING UK LTD
PITT			GRAEME STEVENSON ARCHITECTS
Easting: 421444.7	Northing: 131506		

PROPOSAL:	FULL APPLICATION - ERECTION OF DWELLING AND RETAINING WALL DEMOLITION OF CAR PORT PROVISION OF 2X NO PASSING BAYS
LOCATION:	TWIN ASH THE GREEN PITTON SALISBURY SP5 1DZ

### REASON FOR REPORT TO MEMBERS

Contrary to PC's recommendation

### SITE AND ITS SURROUNDINGS

The site is located within the HPB, and forms part of the existing garden area serving Twin Ash. The site is elevated above Green Lane, and there are currently three on site parking spaces (one car port and one garage), as well as a narrow layby area.

### THE PROPOSAL

It is proposed to erect a chalet style dwelling on part of the garden area serving Twin Ash. The existing parking areas currently serving Twin Ash would be re-utilised to serve both Twin Ash and the new dwelling, with a new parking area replacing the existing car port structure. A new retaining wall is also proposed for this new parking area.

The proposal also incorporates the provision of two passing bays some distance to the south of the site, one of which is on highway verge, and one of which is located on private land not owned by the applicant.

### PLANNING HISTORY

Two refusals of permission for a dwelling on the site, in 1991 and 2003. Members should note that the recent 2003 application S/03/0465 – Erection of new house was refused under the Special Delegation procedure on highway grounds alone for the following reason:

SYS OPS INSERT PREVIOUS REFUSAL REASON

### CONSULTATIONS

WCC Highways	- No longer object to scheme as amended including two new passing bays
Environmental Health	- No objections
Wessex Water Authority	- Response awaited
Environment Agency	- No objections

## REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes. 18/9
Departure	No
Neighbour notification	Yes. Expiry 3/9/03
Neighbour response	25 letters objecting to the proposal for the following reasons:

1. Highway safety/parking/traffic/congestion issues
2. Dwelling out of keeping
3. Cramped development
4. Impact of new house on amenities

Parish Council response      Object to the proposal due to:

1. The provision of passing bays will do nothing to alleviate the increase traffic movements
2. The two storey, four bedroom property is an overdevelopment of the site

## MAIN ISSUES

1. Principle and previous planning history
2. Design/impact on wider landscape
3. Impact on Amenities
4. Impact on highway safety

## POLICY CONTEXT

G2 D2 R2 SDLP

## PLANNING CONSIDERATIONS

### Principle and previous planning history

Planning permission for a dwelling on this site has been refused several times. However, the most recent refusal is most relevant, as it is similar to the current proposal in terms of the design and siting of the house. However, it does differ from the previous scheme in that it involves the provision of two passing bays along Green Lane, and a new parking area in front of the site.

Members should therefore note in their determination of this application that the previous application was refused solely on highway grounds. The overall design of the building and its suitability for the site were judged to be acceptable.

Consequently, Members need to assess the application in terms of the impact of highway safety, and the additional issues raised by the retaining wall, new parking area, and passing bays.

### Design/impact on wider landscape

When considered as part of the Special Delegation, the previous application was considered to be acceptable in design terms, particular given the varied architectural character of the area.

Whilst elevated above Green Lane and visible from the wider area, it is considered that the scheme as proposed would be no more visible to the surrounding area than adjacent dwellings, subject to appropriate materials.

Members should therefore note that the reasons for refusal relating to the previous scheme do not relate to design issues. Given that this scheme is identical to the previous scheme with regards these matters, it is considered that a refusal on design grounds would be difficult to support.

Whilst the proposed new retaining wall would have some visual affect on the character of the lane, it is considered that the impact would not be so significant to the overall character of the area in the longer term as to warrant refusal.

### **Impact on Amenities**

The impact of the previous scheme was also considered during the previous Special Delegation procedure.

It was considered that whilst the dwelling would be elevated above dwellings to the west, the design of the dwelling would limit any significant overlooking of adjacent dwellings, particular due to the use of rooflights in the west facing roofslope.

Existing dwelling to the north and south of the site were not considered to be significantly affected by the proposal in terms of overlooking or dominance.

Members should therefore note that the reasons for refusal relating to the previous scheme do not relate to the impact on amenities. Given that this scheme is identical to the previous scheme with regards these matters, it is considered that a refusal on amenity grounds would be difficult to support.

### **Impact on highway safety**

The original scheme S/03/0465 was refused for the reason given elsewhere in the report, based on objections from WCC Highways. Significant objections have been received relating to the poor nature of the existing highway network, and the likely impact of another dwelling on the existing problems.

The narrow and restricted nature of Green Lane is noted, as are the concerns of residents along Green Lane.

Aware of these highway concerns the applicants have now amended the scheme to incorporate two separate passing bays along Green Lane, as well as providing a new parking area for the new dwelling, and space for parking for Twin Ash. WCC Highways no longer object to the scheme, subject to the proposed passing bays being provided as part of the scheme, and subject to a number of highway conditions. With regards

Consequently, whilst the expressions of local concern are notes with regards to the highway issues, it is considered that without WCC Highways backing, a refusal on highway grounds may be difficult to support.

As such works are outside the application site, a Grampian style condition has been suggested below, which will restrict any development commencing until such works are completed.

### **CONCLUSION**

1 The scheme in terms of the design of the dwelling and how it fits into the site is identical to the previously refused scheme, which was refused solely on highway grounds. The new retaining wall parking and passing bays are generally acceptable design/impact terms.

2 WCC Highways have raised no objections to the proposal. Consequently, despite local concerns, Members should note that a refusal on highway grounds may be difficult to substantiate

**RECOMMENDATION:                      SUBJECT TO THE PARTIES ENTERING INTO A S106 AGREEMENT WHEREBY:**

- 1. TWO PASSING BAYS ARE PROVIDED ALONG GREEN BEFORE THE NEW DWELLING IS FIRST OCCUPIED, AND THOSE LAYBYS ARE RETAINED FOR THAT PURPOSE ONLY.**
- 2. A COMMUTED SUM IS PAID TOWARDS THE PROVISION OF PUBLIC OPEN SPACE IN ACCORDANCE WITH POLICY R2 OF THE SALISBURY DISTRICT LOCAL PLAN**

**APPROVE** subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (A07A)

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990. (0004)

2 Before development is commenced, 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 shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D04A)

REASON:0014 To secure a harmonious form of development.

3 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: In the interest of amenity

4 Before the occupation of the building[s] hereby permitted, the development shall be screened by the planting of a hedge of a type, height and in a position to be agreed in writing with the Local Planning Authority. The hedge shall thereafter be maintained in accordance with the details so agreed and any part of it which within a period of five years from the completion of development dies or becomes seriously damaged or diseased shall be replaced in the next planting season using plants of a similar size and species Unless the Local Planning Authority gives written consent to any variation. (G19A)

REASON: In the interest of visual amenity

5 The finished floor level[s] of the proposed building[s] shall be in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority before development is commenced. (C03A)

REASON: In the interest of visual amenity

6 Screen walls and fences of a type, height and in positions to be agreed in writing with the Local Planning Authority shall be erected prior to the occupation of the dwelling[s] hereby permitted. (F01A)

REASON: In the interest of amenity

7 The precise positioning of the proposed building[s] shall be pegged out on site and agreed in writing by the Local Planning Authority before development is commenced, and the building(s) shall be positioned as so agreed. (C02A)

REASON: In the interest of amenity.

8 Before development commences, a scheme to prevent the discharge of surface water from the development hereby permitted onto the highway shall be submitted to and approved by the Local Planning Authority, and shall be carried out as approved. (L07A)

REASON: 0052 In the interests of highway safety.

9 The parking and passing areas shall be surfaced in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON:0052 In the interests of highway safety.

10 The dwelling hereby approved shall not be occupied until a properly consolidated and surfaced turning space for vehicles has been constructed and made available for use. The turning area shall be kept clear of obstruction at all times thereafter.

REASON: 0052 In the interests of highway safety.

11 The parking and turning areas shown on the approved plans for Twin Ash and the new dwelling shall be maintained for those purposes, and shall be kept clear of obstruction in perpetuity.

REASON:0052 In the interests of highway safety.

INFORMATIVE:

This permission has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan G2 D2 R2 H16

---

**NOTES:**

S/2003/1734	13/08/2003 14:39:42	08/10/2003 14:39:42	MR B BARTLET
WHIT			CHANWEL TBS 1990 LTD
Easting: 424374.5	Northing: 123534.1		

PROPOSAL:	FULL APPLICATION - ERECTION OF TWO HOUSES AND ALTERATION TO EXISTING ACCESS
LOCATION:	BEDMINS SPRAYS THE STREET WHITEPARISH SALISBURY SP5 2SG

## REASON FOR REPORT TO MEMBERS

Contrary to Parish Councils recommendations.

## SITE AND ITS SURROUNDINGS

The existing property contains a workshop building and area of hardstanding, with a residential use attached to the rear, currently occupied by the applicant. The site is within the CA, and has an existing access onto the main road.

## THE PROPOSAL

Removal of the workshop and residential buildings, and erection of two detached dwellings, with two new access points.

## PLANNING HISTORY

Various, including refusals, and one outline consent for two dwellings (S/01/0819). The outline consent for two houses was granted in November 2001, and therefore the applicant still has until November 2004 to submit a reserved matters application, and until 2006 to apply for an extension of time to submit reserved matters.

## CONSULTATIONS

WCC Highways	- No objections subject to conditions
WCC Library/ Museum	- No objections
Environmental Health	- Awaited

## REPRESENTATIONS

Advertisement	Yes. Expiry 18/9/03
Site Notice displayed	Yes. Expiry 18/9/03
Departure	No
Neighbour notification	Yes. Expiry 5/9/03
Neighbour response	One letter of objection indicating mistakes in the plans, overlooking issues, and design is out of keeping.
Parish Council response	Object, due to overlooking and loss of privacy issues, and overcrowding of the site out of character with the area.

## MAIN ISSUES

Overall design/impact on street scene of CA  
Impact on surrounding amenities  
Impact on highway safety

## **POLICY CONTEXT**

G2, D2 CN8 R2 SDLP

## **PLANNING CONSIDERATIONS**

### **Principle and planning history**

- a) The site is located within the HPB, and is considered to be a brownfield site as described in PPG3, and consequently, in principle, the site is considered suitable for residential redevelopment.
- b) Secondly, Members should note that outline planning permission was granted for two dwellings on this site in 2000. The time limit to submit the reserved matters application for this application expires in 2004.
- c) Furthermore, Members should note that a residential dwelling already exists on this site.

As a consequence of the above, the principle of two detached dwellings on the site is considered to be acceptable in principle, subject to the impact on the surrounding environs.

### **Overall design/impact on street scene/CA**

The existing workshop building is a rather unattractive and incongruous feature in the street scene, and detracts somewhat from the character of the Conservation Area. The attached living quarters are modern, and again of no particular merit.

The site is situated in the Conservation Area, the character of which is rather mixed, containing a variety of architectural styles and a mix of detached dwellings, as well as terraced properties. However, the character of the built form is generally linear in form, with dwellings facing the street scene.

In comparison to previous schemes, the dwellings proposed here are of a better design and more sympathetic to the Conservation Area, reflecting the proportions and architectural details of the area, and the linear built form of the area.

Subject to the use of appropriate materials, it is considered that the removal of the existing utilitarian workshop building and its replacement with two vernacular style properties would actually improve the character and street scene of the Conservation Area.

Consequently, the scheme is considered acceptable in design terms.

### **Amenities**

#### Previous scheme

Due to the bulk of the properties proposed, their close proximity to the adjacent boundaries, and the position of windows, it is considered that the previous scheme would have had an adverse impact on adjacent amenities, in terms of overshadowing, overlooking, and dominance.

#### Current scheme

However, following discussions with the LPA, the scheme has been amended by repositioning windows on the side elevations, and by the significant lowering of the ridge height of the rear "extensions" proposed on each dwelling. The overall scale of the houses has subsequently been reduced.

As a consequence, whilst the dwellings would still be large, it is considered that the proposal as revised would be unlikely to have a significant impact on adjacent amenities in terms of either overshadowing or overlooking, taking into account the existence of an existing residential dwelling on the site at the present time.

Furthermore, the removal of the commercial use may also improve the amenities of the adjacent residential properties.

EHO comments are awaited. However, given the use of the site at present and historically, it is suggested that a condition relating to a contamination study of the site is imposed. Furthermore, the removal of the existing buildings needs to be controlled so that the site does not become an eyesore if the development plans are halted for some reason.

### **Highways**

WCC Highways objected to the previous scheme S/03/244 due to inadequate on site turning space, and the lack of visibility from the proposed accesses. In order to be acceptable, the County indicated that the scheme would have to be altered significantly, with a centralised access, and additional on site turning space.

This revised scheme has now been amended in line with County's previous comments, and WCC no longer object to the proposal, subject to suitable conditions

Consequently, it is considered that the proposal would not have any more impact on highway safety than the existing workshop and residential use, and refusal on highway grounds would therefore be difficult to support.

### **CONCLUSION**

1. The principle of two detached dwellings on the site has already been accepted.
2. The scheme is considered to be in keeping with the character of the Conservation Area, and may also improve the general street scene, by the removal of the existing workshop building.
3. Following amendments to the scheme, and the removal of an existing workshop use and building, it is considered that the amenities of adjacent neighbours would not be so significantly affected by these houses as to warrant refusal.
4. WCC Highways has no objections to the proposal, and there is considered to be no adverse impact on highway safety, given the relatively high level of visibility to and from the proposed access points.

### **RECOMMENDATION: APPROVE SUBJECT TO**

- (a) the applicant and any other relevant parties undertake, under Section 106 of the principal act to pay a commuted sum under policy R2 of the Salisbury District Local Plan within one month of the date of this letter, then this authority is minded to grant planning permission to the above application subject to the following conditions:

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (A07A)

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990. (0004)

02 Before development is commenced, 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 shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D04A)

Reason: To secure a harmonious form of development.

03 Before development commences, a scheme for the demolition of the existing buildings on the site and the removal of any spoil and other debris, including times of demolition works, should be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved scheme.

Reason: In the interest of amenity



04 Other than those approved as part of this permission, no windows shall be inserted or enlarged in the side elevations of either dwelling hereby approved.

Reason: 0018 To ensure adequate privacy for the occupants of neighbouring premises.

05 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: In the interest of amenity

06 Any gate[s] provided to close the proposed access shall be set a minimum distance of 4.5 metres from the carriageway edge and shall be made to open inwards only. (I09A)

Reason:0052 In the interests of highway safety.

07 Before the dwellings hereby approved are first occupied, a properly consolidated and surfaced access (not loose stone or gravel) shall be constructed, details of which shall have been submitted to and approved by the Local Planning Authority.

Reason:0052 In the interests of highway safety.

08 The gradient of the access for the first 4.5 metres not exceeding 1 in 15.

Reason:0052 In the interests of highway safety.

09 Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. The above scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the [public/buildings/environment] when the site is developed. Development shall not commence until the measures approved in the scheme have been implemented. (T03A)

Reason: In order to ensure that an adequate contamination investigation is undertaken of the site in the interest of amenity

You are informed that 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 Policy R2.

---

**NOTES:**

S/2003/1754	22/08/2003 10:30:04	19/09/2003 10:30:04	WILTSHIRE COUNTY COUNCIL
WHIT			
Easting: 421707.80663681	Northing: 124349.900419235		

PROPOSAL:	APPLICATION TO WCC - CONSTRUCTION & OPERATION OF A LANDFILL GAS UTILISATION SYSTEM COMPRISING AN ELECTRICITY GENERATING ENGINE, FLARING EQUIPMENT AND ASSOCIATED EQUIPMENT & ELECTRICITY SUB STATION
LOCATION:	WHITEPARISH LANDFILL SITE WHITEPARISH SALISBURY SP5 2QE

### REASON FOR REPORT TO MEMBERS

For officers to pass comment to the Wiltshire County Council Minerals Waste & Planning section in relation the proposal to generate electricity from the Whiteparish Landfill Site, Southampton Road.

### SITE AND ITS SURROUNDINGS

The site lies to the west of Southampton Road, some 1 mile south of Pepperbox Hill. It occupies farmland and features a large mound, with access via an entrance to the south of the site, off the A36 (T) Southampton Road. The site of the proposal is confined to an area to the south east corner of the site. The surrounding area is mainly farmland and woodland.

### THE PROPOSAL

The proposal is to install and operate a permanent landfill gas flare unit and associated equipment and electricity generating engine and associated equipment to provide 1megawatt of electricity.

They will be sited within a compound formed by 2.3m high steel palisade fencing. The majority of the equipment will be inside purpose built metal containers though the flare stack will be approx. 12m high by 2.5m wide. The permanent gas flare system, contains the flame within the stack, and would be sufficiently large to burn off 1500m3 of gas if required during any emergency

The purpose of the proposal considered in 2001 was to collect and burn off various gases, thereby using the system as an emission reduction and odour control measure. The aim of this system will be primarily to provide capacity to generate 1megawatt of electricity for approximately 20years.

### RELEVANT PLANNING HISTORY

2000/2096 - Location of temporary landfill gas flare and associated equipment for the purpose of controlling landfill gas and reducing odours Trial period permitted by Wiltshire County Council.

2001/171 - Install and operate a permanent landfill gas flare unit and associated equipment permitted by Wiltshire County Council

### CONSULTATIONS

Environmental Health  
2003

No observations. No complaints regarding the site since Feb.

## **REPRESENTATIONS**

Not Applicable

## **MAIN ISSUES**

Principle  
Visual Impact

## **POLICY CONTEXT**

G2, C2, C6 of the Adopted Salisbury District Local Plan  
Wiltshire and Swindon Waste local Plan 2011 Revised Deposit Draft  
PPG10 Planning and Waste Management  
PPG22 Renewable Energy

## **PLANNING CONSIDERATIONS**

### **1 Principle**

Members should note that this is an application made by Wiltshire County Council. Consequently, this District Council is being asked to provide its observations on the matter. The County Council will determine whether the actual development is granted consent.

Government Guidance and the County Wide Local Plan outlines the policy waste management for the UK and the district, and policies are generally supportive of renewable energy facilities on existing landfill sites.

### **2 Impact on environment**

The levels and volume of methane content in the gas generated by the landfill site appear to be sufficient to provide a renewable energy source. The applicants consider there will be two main benefits arising from the development,

- 1) relating to the conversion of methane to carbon dioxide by the conversion to energy, thereby reducing greenhouse gas emissions,
- 2) reducing odour.

Apart from the environmental benefits to be gained by the conversion of landfill gas by combustion to less harmful greenhouse gases, the use of the gas has the advantage of offsetting the requirement for power generation from fossil fuel sources, which would reduce overall fossil fuel consumption and carbon dioxide emissions in line with current Government policy

### **Odour**

With regard to the second issue, odours from the site were a constant source of concern from the local population. However there has been a marked reduction of complaints regarding odour and it would appear that there is benefit arising from the current system of dealing with the gases created within the site, in relation to the reduction in odour.

### **Gas emissions**

With regard to reducing the level of gas emissions, the main beneficiaries are the population generally, and the local area specifically. Any reduction on methane emissions, and creation of energy, is considered to represent a benefit, and help with the aims of reducing national methane emission levels in accordance with the objectives of the 1993 Convention on Climate Change and PPG 22 on renewable energy.

### **3 Impact on surrounding ecology**

In relation to the local area, whilst the current operations and 'passive' venting of gases is not considered to significantly affect the area, or Brickworth Down and Dean Hill SSSI some 270m to the south, the introduction of active gas extraction to facilitate the generation of 1megawatt of electricity is considered to further improve landfill gas control at the site.

#### **4 Impact on Highway**

With regard to access and traffic, comings and goings are considered to be minimal in relation to existing movements.

It is understood that the Highway Authority has no objection to the development

#### **5 Visual Impact**

The site lies in the countryside, within the Special Landscape Area. However it also within the complex of buildings to the south of the site that serves the landfill operations. This part of the land is relatively low lying, and benefits from hedges and trees to the Southampton Road side, so there is a degree of natural screening is available.

The main visual impact will arise from the gas flare stack itself, and the existing vegetation will not obscure the entire stack. Viewed against the backdrop of the active landfill site, it would be considered acceptable, however the equipment is designed to deal with the future theoretical gas yield following the completion of the landfill operations and may be in operation and existence on the site for twenty years after the closing of the tip.

#### **CONCLUSION**

1 The proposal would accord with National and Local policy regarding waste management.

2 It would appear that the existence of a landfill gas flare on the site has resulted in a reduction in complaints relating to odours emanating from the site and that this proposed electricity generating system, which will reduce the amount of flaring, will continue this benefit.

3 It is not considered that the system would adversely affect the Brickworth Down and Dean Hill SSSI to the south or the Witherington Down Area of High Ecological Value to the north. This is due to the distances involved from the stack to the areas less gas migration from the site and the expected relatively rare nature of the gas flare burning.

4 Access to the compound would be from the existing access, and movements associated with the proposal are considered to be relatively small.

5 It is recognized that a structure 12m tall in this locality will further detract from the existing area, in visual terms. However due to the topography, existing vegetation and trees, together with any views being seen against the backdrop of the landfill site, it is considered that the intermittent views of the large stack are, on balance, justified in order to permit the creation of energy from a renewable source and is not so serious as to warrant an objection to the scheme.

**Recommendation No objections** subject to the following conditions

1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (A07A)

Reason 0004 To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2 When the use hereby permitted shall cease or at the end of 20 years whichever shall first occur, the use hereby permitted shall cease and all materials and equipment brought on to the site in connection with the use shall be removed.

Reason 0106 In the interests of amenity, in order to secure the cessation of a use for which permission can only be justified on the basis of a special temporary need.

---

#### **NOTES:**

S/2003/1845	29/08/2003	24/10/2003	MRS L HENDERSON
WHIT			BARCLAY & PHILLIPS LTD
Easting: 423839.509140491	Northing: 122779.927300692		

PROPOSAL:	CHANGE OF USE - CHANGE OF USE FROM PASTURE TO EQUESTRIAN GRAZING & RE-INSTATEMENT OF EXISTING ACCESS RETROSPECTIVE CONVERSION OF BARN TO LOOSE BOXES
LOCATION:	WHITES FARM LAND NEWTON LANE WHITEPARISH SALISBURY SP5 2QQ

### REASON FOR REPORT TO MEMBERS

Contrary to PC's recommendation

### SITE AND ITS SURROUNDINGS

A small farm of approximately 23 hectares consisting of fields (agricultural land grade 3) laid primarily to grass between the A36 and Newton Lane, south of Whiteparish. The buildings consist of a barn used for storage and an open fronted barn converted to loose boxes. Access is off Newton Lane. Additionally a hardstanding for vehicles has recently been constructed to the rear of the White House.

### THE PROPOSAL

It is proposed to retrospectively seek consent for a change the use of land to equestrian use, the alterations to the access and the conversion of the open fronted barn to 5 loose boxes

### PLANNING HISTORY

2003/1509 Wooden stable block comprising 8 stables in an 'L' shape W/D

### CONSULTATIONS

WCC Highways - No objections  
Environmental Health - No objections

### REPRESENTATIONS

Advertisement No  
Site Notice displayed Yes expiry date 2/10/03  
Departure No  
Neighbour notification Yes expiry date 22/09/03  
Neighbour response I letter of objection to the creation of the improved access and the loss of hedge adjacent to Newton Lane  
Parish Council Support the applications for change of use to equestrian grazing and re-instatement of access  
but object to the retrospective application for the conversion to loose boxes for the following reasons:-  
1 The loose boxes are within 5 metres of the boundary and 20 metres of a dwelling  
2 Noise from vehicles leaving and departing  
3 Increase in vermin flies and smell  
4 Newton Lane is inadequate for additional traffic  
5 Site is liable to flooding

## **MAIN ISSUES**

Impact on amenities  
Impact on Special landscape Area

## **POLICY CONTEXT**

G2, C6 and C21 of Adopted Salisbury District Local Plan

## **PLANNING CONSIDERATIONS**

### **1) Change of use to equestrian**

#### **Loss of Agricultural land**

The land the site of the proposed change is of agricultural value Grade 3, and its change to equestrian use would not therefore be contrary to Adopted Salisbury District Local Plan policy C21 which supports farm diversification. A condition is suggested which would enable the land to also be used for agricultural purposes

#### **Impact on landscape and amenities**

The Local Planning Authority has a duty to ensure that the Special Landscape Area is protected from any development that would adversely affect its visual quality. The use of this land for the keeping of horses has continued for a number of years during which time there has been no agricultural use of the land or buildings. The applicant uses the land and buildings for the care of five horses, three of which are in livery. The site does not have an intensive commercial use, horses are not bred and riding lessons are not provided. The immediate vicinity of this proposal is strongly rural and there has been little visual impact caused so far by the change to this limited equestrian use. The change has not had a detrimental Impact on the visual quality of the local landscape and the continuation of the use is therefore considered acceptable.

(Approval of the change of use from agriculture to equestrianism would remove any agricultural permitted development and any future alterations or the construction of any buildings would require planning consent).

### **2) Alterations to Access**

Agricultural accesses vary in size but can be used by substantial vehicles. The access though previously surfaced, was apparently very dilapidated and the improved surface and visibility splay will the applicant' argent maintains, provide better visibility for smaller vehicles and assist in alleviating the surface water problems in the area. Newton Lane is a narrow country lane but it is considered that any additional traffic created by this proposal will be very minor and on appeal it could be considered unreasonable to refuse this application on these grounds. Additionally the Highway Authority has raised no objection to the development .

### **3) Impact of change of use of open fronted barn to loose boxes.**

The hardstanding and the open fronted barn are to the rear of the dwellings White House and Carleon and approximately 20metres from the dwellings. Whilst the conversion of the barn has created some public health concerns from the Parish Council, the Environmental Health Officer has raised no objections and there are many examples throughout the District of stables in close proximity to dwellings e.g. in rear gardens and any problems that may arise in the future are separate matters which are covered by separate legislation. Amended plans indicating the location of the hardstanding are expected prior to your meeting.

## **CONCLUSION**

It is considered that the change of use of the land to equestrian use will not have a major impact on the visual character of the locality and that if restricted by condition to the non-intensive use proposed by the applicant, would be acceptable.

Whilst the conversion of the barn has created some public health concerns from the Parish Council, there are many examples throughout the District of stables in close proximity to dwellings, the Environmental Health Officer has raised no objections

**RECOMMENDATION:** subject to receiving no substantive objections which would affect the recommendation.

**APPROVE with the following conditions**

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (A07A)

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990. (0004)

2 There shall be no external lighting of the site or buildings without the prior written permission of the Local Planning Authority. (N01A)

Reason: 0034 To enable the Local Planning Authority to exercise control over the level of illumination in the interests of visual amenity

3 The total number of horses on the site at any one time shall not exceed five

Reason 0026 In the interests of amenity and highway safety.

4 The use of the holding, outlined in red on plan 0868 01 Rev A dated 8 October, shall be limited to either agriculture or equestrian grazing as per the approved details and shall not be used for a commercial breeding or riding stables

Reason 0026 In the interests of amenity and highway safety.

---

**NOTES:**

S/2003/1913	08/09/2003 10:04:53	03/11/2003 10:04:53	MR & MRS NORMAN
WHIT			JEM MUSSELWHITE
Easting: 423703.428718179	Northing: 122862.959569722		

PROPOSAL:	CHANGE OF USE - BARN CONVERSION TO CREATE SEPARATE DWELLING
LOCATION:	BANNISTER BARN NEWTON LANE WHITEPARISH SALISBURY SP5 2QQ

### REASON FOR REPORT TO MEMBERS

Contrary to Highway's recommendation

### SITE AND ITS SURROUNDINGS

The site is currently part of the garden of Banister Barn and adjacent to Newton Lane. Banister Barn was converted to a dwelling following an appeal in 1989. The outbuilding to be converted is to the front of the property and within its curtilage. It is currently used as ancillary residential accommodation. The proposed site of the dwelling is adjacent to Newton Lane

### THE PROPOSAL

The proposal is for full planning permission to convert the residential outbuilding to a separate dwelling. The applicants currently live in the Banister Barn it is intended that that dwelling will retain the majority of the surrounding land and that the new dwelling will have an area of approximately 360sq.metres. An extension and enlargement of the existing parking arrangements is also proposed

### PLANNING HISTORY

86/0498 Conversion of barn to single dwelling R  
 86/1021 Change of use of stable to private accommodation for farm workers R  
 88/0353 Conversion of disused barn and farm buildings R Appeal Dismissed  
 89/0472 Restore & convert barn into residential dwelling, restore and convert one  
 outbuilding to garage and alter access R Appeal Allowed  
 99/2121 Conversion of out buildings to annexe. AC

### CONSULTATIONS

WCC Highways - recommend refusal for the following reasons  
 1 The site cannot accommodate adequate turning facilities to enable a vehicle to enter and leave the highway in forward gear which is essential for highway safety  
 2 The site has insufficient frontage to enable an access to be satisfactorily laid out incorporating the necessary visibility splays which are essential for highway safety  
 The applicant is advised to consider the potential for providing a potential means of access to the proposal site from the access to the existing dwelling since this is more acceptable in highway terms  
 Environmental Health Officer - no objections  
 English Nature - A bat and barn owl survey should be carried out to determine their presence. This is being examined as the building is in residential use.  
 Environmental Health - no objections



## REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes expiry date 9/10/03
Departure	No
Neighbour notification	Yes expiry date 30/09/03
Neighbour response	1 e-mail of objection on grounds that plot is too small, inadequate parking facilities, dangerous access, overlooking of adjacent properties
Parish Council response	Support

## MAIN ISSUES

Principle of development  
Impact on Special Landscape Area  
Impact on neighbours  
Highway safety  
Other issues

## POLICY CONTEXT

G2, D2, H19, C6 and R2 of Replacement Adopted Salisbury District Local Plan

## PLANNING CONSIDERATIONS

### Principle of development

The proposed site of the new dwelling is within the Housing Restraint Area as defined on the Proposals Map of the Local Plan. In these areas, residential development, comprising the extension of an existing dwelling, the conversion of a single dwelling to form two or more units, or the erection of a new dwelling, will be acceptable only if the following criteria are met:

- (i) *there will be no adverse impact on the character of the settlement or neighbourhood designated as a Housing Restraint Area;*
- (ii) *the development will be in keeping with the character of the neighbouring properties;*
- (iii) *the loss of features such as trees, hedges and walls, which contribute to the character of the area, is kept to a minimum;*
- (iv) *there is no loss of open fields between existing houses, or of an important gap in a built frontage.*

Additionally the site lies within a Special Landscape area and therefore any development should not have any adverse impact on the landscape.

### Visual impact

The site for this new dwelling is adjacent to and within the curtilage of an existing dwelling. The outbuilding appears visually to be part of the built up area, though distinct from immediate environs of Banister Barn. The outbuildings are not currently screened by trees or hedges and are therefore readily visible from the adjacent minor road and the existing dwelling.

The proposed alterations to the building has been designed to make the scheme sympathetic to its surroundings and it is considered that the proposal would not adversely effect the setting of the adjacent dwelling of which it is currently an ancillary feature.

The new dwelling is to be extended using in a manner, which would reflect the design, and materials of the existing outbuilding. The design is acceptable in this locality.

The dwelling would not be particularly prominent in the street scene and the proposed materials and design would tend to minimise its impact. It is considered that this proposal would not be detrimental to the visual quality and character of the local landscape, given its already residential character and use

### Impact on neighbours

The proposed new dwelling would be approximately 45metres from the nearest dwelling Bannister Barn. The building is to be partially two storeys with rooflights to reduce any potential overlooking.

### **Highway safety**

The Highway Authority is concerned that this development will create a highway hazard. However given that the site is located within the designated Housing Restraint Area and that the existing access onto Newton Lane can be already used, it is considered that the increased use created by a separate residential use compared to an ancillary residential use would not be material.

### **Other Issues**

English Nature have requested a bat and barn owl survey, however as the building is already in use as ancillary residential, this issue will be resolved before your meeting.

### **CONCLUSION**

The principle of development on this site within the Housing Restraint Area is considered acceptable if in accordance with the criteria of the Adopted Local Plan. The concerns expressed by the Highway Authority are not considered to be not so detrimental to the proposal as to warrant the refusal of this application, given the existing residential use of the property. The concept of creating a separate residential unit from the outbuilding at the front of Bannister Barn is considered acceptable

**RECOMMENDATION:** subject to

**1** (A) The applicant and any other relevant parties undertaking, under Section 106 of the Principal Act to pay a commuted sum under policy R2 of the Salisbury District Local Plan within one month of the date of this letter, then this Authority is minded to grant planning permission to the above application subject to the following conditions.

**2** subject to the receipt of satisfactory additional plans regarding the trees and the retaining walls

**APPROVE** subject to the following conditions:

(1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (A07A)

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

(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 0042 In the interests of the amenity and the environment of the development.

(3) No development shall take place until there has been submitted to and approved by the Local Planning Authority details regarding the boundary wall on the north-eastern boundary

Reason: In the interests of the amenity and the environment of the development.

(4) No development shall take place until details regarding the proposed parking area have been submitted to and approved in writing by the Local Planning Authority. The development shall accord with the details as so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity and the environment of the development.

(5) Before development commences, a scheme for the discharge of surface water from the building hereby permitted shall be submitted to and approved by the Local Planning Authority, and shall be carried out as approved. (L07A)

Reason 0064 To ensure that the development is provided with a satisfactory means of surface water disposal.

(6) 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 windows/dormer windows/rooflights or doors [other than those expressly authorised by this permission] shall be constructed.

Reason To enable the Local Planning Authority to retain control over the appearance of the dwelling in the interests of visual amenity.

(7) Notwithstanding the provisions of Classes A to G 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 0107 To enable the Local Planning Authority to retain control over the development in the interests of amenity.

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 Policy R2 agreement

**INFORMATIVE:**

This permission has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan G2, D2, H19, C6 and R2

---

**NOTES:**