

LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING COMMITTEE SOUTHERN AREA 8/6/2004

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

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

ITEM NO	APPLICATION NO OFFICER	LOCATION	REC	PARISH / WARD	Page Nos	WARD & COUN- CILLORS	NOTES
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1	SV	S / 2004 / 423 Ms S J McDaniel	DAVID & ROSEMARY CHAPELL 1 HIGH ROAD BRITFORD	REF	BRIT	EBBLE	2 – 4	Cllr Rycroft
2		S / 2004 / 797 Mrs J Wallace	MR & MRS M D BLANDFORD WHITEHILL FARM WHITE HILL PITTON	REF	PITT		5 – 7	WINTERSLOW Cllr Mrs Devine Cllr Moss

3	S / 2004 / Mr T Wippell	802	MR & MRS I RICHARDSON LANGTREES FARM SOUTHAMPTON ROAD LANDFORD	REF	LAND	8 – 10 ALDERBURY & WHITEPARISH Cllr Mrs Bissington Cllr Britton Cllr Randall
4	S / 2004 / Mrs J Wallace	824	MRS L HENDERSON WHITES PARK EQUESTRIAN NEWTON LANE WHITEPARISH	REF	WHIT	11 – 13 AS ABOVE
5	S / 2004 / Mrs J Wallace	842	MR & MRS P CHANT WINDRUSH FARM LONG FIELD WEST DEAN	REF	WDEA	14 – 16 WINTERSLOW Cllr Devine Cllr Moss
6	SV S / 2004 / Ms B Jones	843	JSR GENETICS LTD COTSWOLD FARM WEST DEAN ROAD WEST TYTHERLEY	REF	WINT	17 – 21 AS ABOVE
7	S / 2004 / Ms B Jones	894	P DOWLING ESQ SHERWOOD COTTAGE VICARAGE ROAD LOVER	REF	REDL	22 – 24 DOWNTON & REDLYNCH Cllr Anderson Cllr Leo Cllr Mrs Peach
8	SV S / 2004 / Mrs J Wallace	579	LAND ADJACENT TO - THE CROFT SCHOOL ROAD NOMANSLAND	APPC	REDL	25 – 29 AS ABOVE
9	S / 2004 / Mr T Wippell	701	MR & MRS J HENDERSON SEARCHLIGHTS LODGE DROVE WOODFALLS	APPC	REDL	30 – 32 AS ABOVE
10	S / 2004 / Mrs J Wallace	741	MR FRY THE POST OFFICE MIDDLETON ROAD WINTERSLOW	APPC	WINT	33 – 36 WINTERSLOW Cllr Devine Cllr Moss
11	SV S / 2004 / Ms B Jones	844	JSR GENETICS LTD COTSWOLD FARM WEST DEAN ROAD WEST TYTHERLEY	APPC	WINT	37 – 41 AS ABOVE

12 sv	S / 2004 / 845 Ms B Jones	JSR GENETICS LTD COTSWOLD FARM WEST DEAN ROAD WEST TYTHERLEY	APPC	WINT	42 – 45 AS ABOVE
13 sv	S / 2004 / 846 Ms B Jones	JSR GENETICS LTD COTSWOLD FARM WEST DEAN ROAD WEST TYTHERLEY	APPC	WINT	46 – 49 AS ABOVE
14	S / 2004 / 893 Mrs J Wallace	K WELFARE UNIT 9 PORTWAY BUSINESS CENTRE OLD SARUM	APPC	LAVE	50 – 52 LAVERSTOCK & CLARENDON PARK Cllr Bissington Cllr McLennan
15	S / 2004 / 924 Charlie Bruce-White	CELINE & JONATHAN MILLS 3 CHURCH LANE CHARLTON ALL SAINTS	APPC	DOWN	53 – 55 DOWNTON & REDLYNCH Cllr Anderson Cllr Leo, Cllr Mrs Peach
16 sv	S / 2004 / 955 Charlie Bruce-White	MR P MOSS & MS T THORNTON 8 BARNABY CLOSE DOWNTON	APPC	DOWN	56 – 58 AS ABOVE

Schedule Of Planning Applications For Consideration

In The following Order:

Part 1) Applications Recommended For Refusal

Part 2) Applications Recommended for Approval

Part 3) Applications For The Observations of the Area Committee

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

ABBREVIATIONS USED THROUGHOUT THE TEXT

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

Part 1

Applications recommended for Refusal

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

1	Case Officer Ms S J McDaniel	Contact No 01722 434553	1
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S/2004/423	26/03/2004	21/05/2004 11:26:21	DAVID & ROSEMARY CHAPELL
BRIT			
Easting: 415641.3	Northing: 127862.1		

PROPOSAL:	FULL APPLICATION -REPLACEMENT OF EXISTING OUTBUILDINGS WITH 1 BEDROOM ANNEXE TO EXISTING PROPERTY OVER STORAGE AND COVERED CAR PARKING
LOCATION:	1 HIGH ROAD BRITFORD SALISBURY SP5 4DS

REASON FOR REPORT TO MEMBERS

Councillor Rycroft wishes this item to be considered by Committee due to the finely balanced issues.

SITE AND ITS SURROUNDINGS

The site is located within the yard of a two-storey semi detached property. There is a timber outbuilding located to the northwestern side of the yard. The area is enclosed by a closed boarded fence to the north, a high hedgerow to the south west and a smaller hedgerow and gate separates the rear garden from the proposed site to the east. The proposed development would be independent of the main dwelling and will provide car parking, store and a separate annex on the second floor.

THE PROPOSAL

Replacement of existing outbuildings with 1 bedroom annex to existing property over storage and covered parking.

PLANNING HISTORY

88/1926 construction of vehicle access from main road AC12/12/88
97/1876 Two storey extension A 15/01/98

CONSULTATIONS

Highways

No objection

Environment Agency

No objections provided that appropriate drainage is used

REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes, Expiry date: 01 th of April 2004
Departure	No
Neighbour notification	Yes, Expiry date: 22 th of March 2004
Parish Council Response	None received

MAIN ISSUES

- 1) Principle
- 2) Scale, bulk and design of development

POLICY CONTEXT

2003 Adopted Salisbury District Local Plan: G2, D3, H33, C6, H19

Design policy D3 requires that extensions are of a scale and design that blends in with the house and area. It requires complimentary materials.

G2 ensures that developments do not significantly affect neighbour amenity.

C6 ensures that development in areas of special landscape are sympathetic to the character of the area.

H19 ensures that development in the Housing Restraint Areas has no adverse affect upon the character of the settlement and the neighbouring properties.

H33 accommodation for dependant persons will be permitted provided that the development would be easily reabsorbed into the main dwelling.

PLANNING CONSIDERATIONS

Principle

The proposed development site is located within the Housing Restraint Area of Britford, therefore the principle of further ancillary development in this location is acceptable subject to the criteria contained within the policy of the Adopted Salisbury District Local Plan. Furthermore the site is also within the Special Landscape Area which also permit further ancillary development subject to the proposal not having an adverse affect upon the character of the landscape. However, policy H33 is relevant.

Impact on character of area

The proposed development is located to the northwestern side of the yard and will be replacing the existing outbuilding which measures approx 23 sqm with a two storey building that has an area of approx 54 sqm. It has been brought to the council's attention that the proposed development is to be used as an annex for an elderly relative. Policy H33 of the Salisbury District Local Plan sets out the criteria for such development. There are five separate parts to this policy, two of which are particularly pertinent. Firstly, the policy states that, when a development for a dependant person is not built as an extension to the main dwelling, it should be a conversion of an existing building within the curtilage of the main dwelling. This application is clearly not a conversion but the creation of a new building. The second point that the policy

makes is that the development must be easily re-absorbed into the dwelling when it is no longer required to house a dependant person, again the above development would not be able to achieve this requirement as it is separate to the main dwelling. An annex attached to the main dwelling would be a more suitable arrangement and there is plenty of scope to achieve this on site.

Three of the above policies, namely, policy, D3, C6 and H19 have similar criteria. The common thread within these policies is that development must be sympathetic to the existing building and in keeping with the character of the surrounding area.

The proposed development would be contrary to this common requirement and thus contrary to all of the aforementioned policies. As previously mentioned, the subject site is located within the yard of a semi detached property which is the end house in a row of modest terraced properties. None of the adjoining houses have annexes or outbuildings as large as that proposed. It is therefore considered that the development would be out of keeping with the pattern of development in the area and would also be out of character with the existing property in terms of its excessive height and unnecessary bulk and scale. Hence the building would unduly prominent from the main road, and adjacent countryside.

CONCLUSION

Overall, it is considered that the development by virtue of its excessive height and large scale and bulk would have an adverse affect upon the character of the existing dwelling and the surrounding area as a whole.

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

The development by virtue of its excessive height and large scale and bulk and its close proximity to the main semi-detached dwelling, adjacent main road and wider countryside, would adversely affect the character of the existing dwelling and the surrounding area. The proposal is contrary to policies D3, C6, H19 and H33 of the Adopted Salisbury District Local Plan.

INFORMATIVE: -

The recommendation has been taken in accordance with the following policies of the Salisbury District Local Plan.

D3 requires that extensions are of a scale and design that blends in with the house and area. It requires complimentary materials.

G2 ensures that developments do not significantly affect neighbour amenity.

C6 ensures that development in areas of special landscape are sympathetic to the character of the area.

H19 ensures that development in the Housing Restraint Areas has no adverse affect upon the character of the settlement and the neighbouring properties.

H33 accommodation for dependant persons will be permitted provided that the development would be easily reabsorbed into the main dwelling.

NOTES:

S/2004/797	13/04/2004	08/06/2004 09:07:01	MR & MRS M D BLANDFORD
PITT			KNAPMAN & BAMENT
Easting: 421408.030670941	Northing: 130962.763439715		

PROPOSAL:	O/L APPLICATION -ERECTION OF STUD MANAGERS HOUSE
LOCATION:	WHITEHILL FARM WHITE HILL PITTON SALISBURY SP5 1DY

REASON FOR REPORT TO MEMBERS

Councillor Devine requests that this application be decided by Committee in view of the interest in the proposal.

SITE AND ITS SURROUNDINGS

The site of the proposed dwelling is located immediately adjacent to Pitton Hill Farm. The farm comprises a holding of 160 acres and the farm complex consists of a group of barns and other buildings accessed off an unmade track at the top of Pitton Hill.

THE PROPOSAL

It is an outline proposal to erect a stud managers dwelling on the farm

PLANNING HISTORY

None relevant

CONSULTATIONS

WCC Highways	- none received
Environmental Health Officer	- none received
Wessex Water Authority	- not a Wessex sewered area. but point of connection to water mains can be agreed prior to works commencing
Southern Water	- not our water supply area. A septic tank is practicable on this site connection to sewer can be agreed at design stage. No surface water sewer in area.
Environment Agency	- no comment

REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes expiry date 20/05/04
Departure	Yes
Neighbour notification	Yes expiry date 7/05/04
Third Party response	1 letter of comment and 13 letters of support (9 from Pitton area)
Need to support local business	
Long standing livery business	
Business needs an on-site manager	
Need to provide accommodation for young people to support village facilities	
Proposed site will not effect skyline	
Proposed site provides easy access to animals	
Proposed site will not adversely affect any other party	
Good access to site	

Concern regarding alternative site for caravans.
Low water pressure in area.

Parish Council response Support. One point needs clarification The applicant states that he is a freeholder of the land but has served Certificate B as not the freeholder.

MAIN ISSUES

Principle
Impact on amenities

POLICY CONTEXT

G2, C6, C21, H23, H27 and R2 of SDLP
PPG7 and Draft PPS7

PLANNING CONSIDERATIONS

Principle

The site is located on a prominent ridge in the open countryside, within the Area of Special landscape Value.

Development of residential accommodation on land in the open countryside outside a housing policy boundary is considered appropriate only if required for the housing of new permanent agricultural or forestry workers and then only if certain very strict criteria are satisfied. A stud or livery is not currently defined as agriculture or forestry, though PPG7 states that the Government wishes to see a positive approach towards planning applications for horse based development which respects the rural environment and SDLP policies are similarly sympathetic. The replacement document for PPG7; PPS7 is currently in draft form and that indicates that future Government advice is likely to indicate that any proposals involving the provision of new dwellings in the countryside should be considered against the same criteria as for agricultural or forestry dwellings. The draft guidance states 'that there may also be instances where special justification exists for isolated dwellings in the countryside associated with rural based enterprises.' However, before a planning application for such a dwelling can be considered, the enterprise itself must have planning permission. Local Planning Authorities must apply the same criteria and principles to such a proposed new dwelling as would be appropriate to applications for other occupational dwellings within the countryside.

Information provided states that 127 acres of the 160 acre holding are rented of which approximately 52 acres are laid to arable crops and the remainder of the land is used for hay and grazing.

Local plan policies encourage farm diversification subject to criteria relating to access, traffic generation, and no detrimental impact on the vitality of village facilities, the landscape or the local environment. Because of the difficult environment for agriculture this holding has diversified. It was originally an arable and pig farm but it has now diversified primarily into two leisure activities.

Firstly a 5van caravan site registered with the Camping and Caravan Club with associated weekend caravan rallies for up to 30 caravans (which is permitted under the 28day rule). Secondly the business has diversified into equestrian pursuits primarily breeding, livery and 'breaking-in'.

None of these activities has planning permission.

As regards the need for permanent occupation on the holding, though the applicant has supplied details regarding the operation of the unit, including the equestrian pursuits, evidence has only been provided regarding the need for a worker to be on site during those periods of the year when the mares are foaling. No evidence has been provided regarding the need for a full time worker to be permanently accommodated on the holding.

It is therefore suggested to members that for consistency in approach to the development of equestrian activities; that this application should be considered against the same criteria as for agricultural or forestry dwellings as recommended by the draft guidance in PPS7 which are within Local Plan policy H27 and that before a planning application for such a dwelling is considered, the equestrian enterprise itself, should have planning permission.

It is therefore proposed that the application for a Stud Managers dwelling be refused as the alternative uses do not have planning permission and because of the lack of evidence regarding the need for a full time worker to be permanently accommodated on the holding.

Impact on amenities

The proposed site would be well screened by the existing farm buildings and the substantial conifer hedge on the northeast boundary. In the wider landscape view the development of the site would appear to form part of the farm complex and its potential impact on the Special Landscape Area would be very limited. The proposed siting of the dwelling within the farm holding would therefore appear to be acceptable.

However, the site of the proposed new dwelling is currently part of the site used by the Caravan and Camping Club and the applicant proposes that this will be re-located to another part of the farm. No information has been provided as to this alternative site. Concern has been expressed as to the potential impact of an alternative site on the amenities of the occupiers of Pitton Hill Farm and in the absence of any information it is not possible to assess this proposal to relocate the caravan use against the criteria of the Local Plan policies G2 or C21.

R2

As the proposed dwelling is a new dwelling a contribution to public open space is will be required.

CONCLUSION

Draft guidance in PPS7 states 'that before a planning application for a dwelling associated with a rural enterprise can be considered, the enterprise itself, must have planning permission. The proposed development is therefore contrary to PPS7, and additionally due to the lack of information is also contrary to policies C6, H27 and C21 of SDLP

RECOMMENDATION: **REFUSE** for the following reasons

(1) The proposal would result in a dwelling in the open countryside without any proven need, contrary to policy H23 and H27 of the adopted Salisbury District Local Plan, and the guidance given in PPG7 and draft PPS7.

(2) The proposed residential development is considered by the Local Planning Authority to be contrary to Policy R2 of the adopted Salisbury District Local Plan because appropriate provision towards public recreational open space has not been made.

INFORMATIVE:

POLICY	PURPOSE
G2	General Criteria for Development
C6	Special Landscape Area
C21	Farm Diversification
H23	Application of Housing Policy Boundaries
H27	Housing for rural workers
R2	Open Space contribution

Of the Adopted Replacement Salisbury District Local Plan.

R2 – INFORMATIVE:

It should be noted that the reason given above relating to Policy R2 of the adopted Local Plan could be overcome if all the relevant parties can agree with a Section 106 Agreement, or, if appropriate by a condition, in accordance with the standard requirement of public recreational open space.

NOTES:

S/2004/802	06/04/2004	01/06/2004 09:35:07	MR & MRS I RICHARDSON
LAND			GRAHAME R THOMAS DESIGNS LIMITED
Easting: 426904.9	Northing: 119620.7		

PROPOSAL:	FULL APPLICATION -CONVERSION OF OUT-BUILDING TO GRANNY ANNEX FOR DISABLED PERSON
LOCATION:	LANGTREES FARM SOUTHAMPTON ROAD LANDFORD SALISBURY SP5 2BE

REASON FOR REPORT TO MEMBERS

Employee application

SITE AND ITS SURROUNDINGS

Longtrees, Southampton Road Landford

The site comprises an attractive farm dwelling with large detached double garage, and various derelict outbuildings. To the north east of the buildings is a recently constructed dwelling.

THE PROPOSAL

The proposals seek to convert two of the derelict outbuildings into a single Annexe for a disabled person related to the owners of the existing property.

The proposed conversion would require two of the outbuildings to be linked together via a small extension, creating a ground floor apartment with bedroom, kitchen, wc, sitting room, hallway and dining area. A further bedroom will be created in the loft space of one outbuilding.

PLANNING HISTORY

84/533	Extension	AC
08/03/84		
97/645	C/U of outbuilding from small holding use to	WD
20/05/97	furniture restoration use	

CONSULTATIONS

Southern Water- Environmental Health- Environment Agency-	Consider the use of a septic tank as reasonable No objections Consider that before development commences, an Environmental Impact Assessment should be carried out by a suitably licensed consultant to assess the impact on bats and barn owls.
Highways- Social Services-	No objection, subject to occupancy condition No comments

REPRESENTATIONS

Advertisement	No	
Site Notice displayed	Yes	
Departure	No	
Neighbour notification	Yes	
Neighbour response	No	
Parish Council response	Yes-	Support

MAIN ISSUES

1. Use of Land
2. Residential Development in the Countryside and Special Landscape Area
2. Impact on Amenities

POLICY CONTEXT

G1, H33, C22, H16, H22, H23, H26, H27, H28 and C6, C12

PLANNING CONSIDERATIONS

The site is within the New Forest Heritage Area and Special Landscape Area. The site also lies outside the defined Housing Policy Boundary for Landford. However, as the conversion is intended to provide an annexe within the curtilage of the main dwelling, Policy H33 of the Local Plan would support this. Policy H33 of the Adopted Local Plan relates to proposals to create separate accommodation for dependent persons, stating that such proposals will be permitted subject to a restrictive occupancy condition and a number of criteria, including where the additional accommodation is created via conversion of an existing building on the site.

The main issue of this application is whether the outbuildings in question are currently located within the residential curtilage of the main dwelling. This Authority considers that the majority of land outlined on the submitted plans, including the proposed annexe would be outside the residential curtilage of the dwelling.

The Annexe would not be sufficiently integrated with the existing property, but rather would take the form of a separate dwelling unit which the Local Planning Authority are not prepared to permit on a permanent basis as proposed.

Therefore, the proposed conversion would fail to satisfy the criteria under Policy H33 of the adopted Local Plan.

Details of Annexe

The proposal envisages the conversion and modernisation of a building, which is considered to be excessive in size for the purposes of an Annexe. If this annexe is approved, it will in effect create living accommodation for 2 new persons in the open countryside.

This Authority remains unconvinced that an annexe in this location would also need accommodation for a carer. A live- in carer would in effect resolve the dependency of the elderly relative on the family, and this proposal would therefore be contrary to Policy H33.

Impact on Protected Species

The applicant has not demonstrated sufficient information to show that there will be no adverse impact on the Natural Environment. An Environmental Impact Assessment has not been carried out by a suitably licensed consultant, needed to assess the impact on bats and barn owls, and it is considered that without sufficient information, approval cannot be recommended.

CONCLUSION

The proposals would not satisfy the requirements of Policy H33 (Accommodation for Dependent Persons) as the accommodation would not be the result of a conversion of an existing building within the curtilage of the main dwelling (Longtrees). The Annexe would not be sufficiently integrated with the existing property, but rather would take the form of a separate dwelling unit which the Local Planning Authority are not prepared to permit on a permanent basis as proposed.

Given that the proposal is tantamount to a creation of a new house in the open countryside, it is also considered to be contrary to Policy H23 and G1, as it would represent a new dwelling in the open countryside, in an unsustainable location.

Finally, in the absence of an Environmental Impact Assessment for the proposal, this Authority cannot sufficiently assess the impact on the Natural Environment.

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

1. The proposals would not satisfy the requirements of Policy H33 (Accommodation for Dependent Persons) as the creation of accommodation would require the conversion and extension of the building outside the curtilage of the main dwelling (Longtrees). Furthermore, the details and scale of the proposed development would be tantamount to the creation of a new dwelling in the open countryside, in an unsustainable location, contrary to Policy H33, H23, and G1 of the adopted Salisbury District Local Plan.
2. In the absence of a protected species survey, there is insufficient information to demonstrate that the scheme would not adversely affect habitats and the protected species. Therefore it is contrary to policy C12 of the adopted Salisbury District Local Plan.

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

G1, H33, C22, H16, H22, H23, H26, H27, H28 and C6

NOTES:

S/2004/824	08/04/2004	03/06/2004 10:32:27	MRS L HENDERSON
WHIT			
Easting: 423955.460476637	Northing: 122772.069486618		

PROPOSAL:	REMOVAL OF CONDITION (3) RELATING TO PLANNING APPROVAL REF - S/03/1845 - TO RESTRICT APPLICANT TO 5 HORSES ON A 57 ACRE SITE
LOCATION:	WHITES PARK EQUESTRIAN NEWTON LANE WHITEPARISH SALISBURY SP5 2QQ

REASON FOR REPORT TO MEMBERS

Contrary to PC's recommendation
Contrary to Highway's recommendation

SITE AND ITS SURROUNDINGS

A small farm of approximately 23 hectares consisting of a number of small fields now laid out as paddocks. It is sited between the A36 and Newton Lane south of the village of Whiteparish. Access is off the single track Newton Lane. Buildings consist of a barn in the centre of the site used primarily for storage of hay and vehicles and an open fronted building converted to 5 loose boxes. Additionally a hardstanding for vehicles and a menage have been constructed.

THE PROPOSAL

It is proposed to remove the condition from the consent permitting change of use to equestrian which restricted the number of horse to five.

PLANNING HISTORY

2003/1509 Stable block comprising 8stables in 'L' shape Withdrawn
2003/1845 Change of use of land to equestrianuse, alterations to access and conversion of open fronted barn to 5 loose boxes AC
2004/57 Riding Arena 25m x 60m on stone base with post and rail fence AC
2004/?? Agricultural Prior Notification for Track

CONSULTATIONS

WCC Highways	- no objections subject to the following conditions. The total number of horses shall not exceed 15. The permission shall be temporary for 2years to allow the traffic associated with the development to be monitored.
Environmental Health Officer	- no observations

REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes expiry date 13/05/04
Departure	No
Third Party notification	Yes expiry date 6/05/04
Third Party response	3 letters of comment/objection on the following grounds:-
Concerns regarding unlimited numbers of horses on site	
Highway safety	
Increasing number of lorries and horse boxes	
Increase in traffic	

More horses will require more facilities – stables etc
Concerns regarding smells, noise and disturbance
Concerns regarding impact on health of nearby residents
Disposal of effluent
Stabling available advertised
Parish Council response Support subject to conditions
Support but would like maximum number of horses on the site to be 25.

MAIN ISSUES

Impact on amenities
Impact on Landscape
Highway safety

POLICY CONTEXT

G2, C6 and C21 of Adopted SDLP

PLANNING CONSIDERATIONS

In 2003, members considered an application to convert this small farm into equestrian use. Considerable concern was expressed by neighbours to the conversion of the building close to their boundaries into stabling primarily on the grounds of noise and smell from the stabling of horses, the general disturbance caused by an increase in the number of vehicles including horse boxes using the narrow lane and concerns regarding highway safety because of the poor access and narrow single track lane to the site

The applicant maintained at that time that the use would be very low key, that there were only 5 horses involved, three of which were in livery so the amount of coming and going was very limited. Members approved the application with conditions to re-inforce the low key nature of the use.

Subsequently permission has been granted for the erection of an arena for the use of the applicant only and the fields have been sub-divided into small paddocks to enable the more efficient grazing of the land.

The applicant requests the removal of the condition relating to the number of horses on the land because the low number of horses is insufficient to ensure economic pasture management and a proportion of the site has had to remain in agricultural use.

The low number of horse was imposed by condition to re-inforce the low key nature of the use. The applicant maintains that the removal of the condition will have a negligible impact upon the amenities of neighbouring properties because the land would be used as a self-contained riding facility, not requiring the movement of horses to and from the site. However, permission was granted for the land only to be used for agricultural or equestrian grazing and not for commercial breeding or riding tables. An increase in the number of horses on the site is likely to result in an increased demand for feed to be brought on to the site, for shelters, stabling and security all of which will have a detrimental impact upon the character and appearance of the open countryside within a Special Landscape Area. It is also likely that an increase in number of horses on the site will create an increase in traffic using the very narrow Newton Lane to the detriment of the amenities of the occupiers of adjacent dwellings.

As regards the number of horses to be on the land, it was to ensure that the use remained low key that the number was restricted. It is difficult to pick an acceptable number as to the grazing capacity of the land especially as the reason for restricting the number was also to limit the impact on the amenities of the neighbour and because of concerns regarding highway safety on such a narrow access. Also there seems to be a difference of opinion as to the actual numbers which would be acceptable, the Highway Authority suggests that the number be 15 and the Parish Council support an increase to 25.

Highway Safety

Newton Lane is a very narrow single track road which is used as a short cut between Whiteparish and the A36, whilst the traffic flow is comparatively low there are considerable concerns, supported by the Highway Authority regarding an increased use of an access with very poor visibility on to a very narrow lane.

CONCLUSION

On balance in view of the likely detrimental impact upon the character and appearance of the open countryside within a Special Landscape Area of a change to a more intensive use of the land, the detrimental impact upon the amenities of the neighboring properties to an increase in traffic using the very narrow Newton Lane Newton and the concerns regarding highway safety of an increased use of an access with very poor visibility on to a very narrow lane it is considered that the proposed removal of the condition is unacceptable.

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

The restrictive condition was imposed in order to limit the extent of the use and its impact on the wider landscape and the Highway system surrounding the site. Consequently, the increase in the number of horses would be likely to have an adverse impact upon the character and appearance of the open countryside within a Special Landscape Area, and would be likely to have a detrimental impact upon the amenities of the neighbouring properties due to an increased use of an access with very poor visibility. The proposal would therefore be contrary to Salisbury District Local Plan policy C6, G2(vi) and C21(v)

INFORMATIVE:

POLICY	PURPOSE
G2	General Criteria for Development
C6	Special Landscape Area
C21	Farm diversification

of the Adopted Replacement Salisbury District Local Plan .

NOTES:

S/2004/842	13/04/2004	08/06/2004 10:30:11	MR & MRS P CHANT
WDEA			MICHAEL LETHBRIDGE
Easting: 424523.019462287	Northing: 126990.282049477		

PROPOSAL:	FULL APPLICATION -REST ROOM, FOUR ADDITIONAL LOOSE BOXES, AND STORAGE BARN
LOCATION:	WINDRUSH FARM LONG FIELD DEAN ROAD WEST DEAN SALISBURY SP5 1HR

REASON FOR REPORT FOR MEMBERS

Councillor Devine requests that this application be decided by Committee in view of the controversial nature of the proposal.

SITE AND ITS SURROUNDINGS

The site comprises approximately 13 acres with an access off the West Dean Road. There is an existing barn on the site with permission to be used as stables.

THE PROPOSAL

It is proposed to erect an extension to the barn to provide an additional 4 stables and erect a storage barn and a separate rest room.

PLANNING HISTORY

2001/165 Erection of barn for storage of feed, hay and machinery AC
 2003/1498 Change of use of land to paddock for equestrian/stud use and provide accommodation Withdrawn
 2003/2026 Change of use of land and conversion of barn for equestrian/stud use AC

CONSULTATIONS

WCC Highways	- not yet received
Environmental Health Officer	- not yet received
Environment Agency	- no objection

REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes expiry date 20/05/04
Departure	Yes
Neighbour notification	Yes expiry date 10/05/04
Third Party response	1 letter of objection.
Parish Council response	None received

MAIN ISSUES

Principle
 Impact on surrounding countryside
 Impact on amenities

POLICY CONTEXT

G2, C2 and C6 of SDLP
PPG7 and Draft PPS7

PLANNING CONSIDERATIONS

Principle

PPG7 states that the Government wishes to see a positive approach towards planning applications for horse based development, which respects the rural environment, and SDLP policies are similarly sympathetic to rural enterprises.

The proposed barn is approximately 16metres by 10metres and is of box profile sheeting with two sets of doors and a pedestrian access. Although it is proposed that the barn be used for the storage of hay and machinery in connection with the holding, it is the professional opinion of the equine expert that the building would be unsuitable for the storage of hay and straw as it lacks adequate ventilation. Additionally the proposed 3metre wide doors would make access with a tractor and trailer awkward. It would appear therefore that the building is unsuitable for its proposed use.

The proposed rest room of concrete block with timber cladding and a pitched slate roof and at 8metres by 10metres with an overall height of 5metres is very generous in size and accommodation when experience suggests that there should only be a few visitors and 2/3 members of staff and is also domestic in scale and design.

This application could be considered to be clear evidence of an intention and ability to develop the enterprise and thus satisfy one of the criteria within PPG7 relating to the provision of accommodation which is 'investment in new farm buildings'. An independent assessment by an equestrian expert suggests that if the additional stables were permitted there would be a functional need to live on the site and if there was such a need then there does not appear to be any suitable or available dwellings that could meet this need. From an animal welfare point of view any accommodation should be within sight and sound of the equestrian buildings. Though the expert opinion is that based on standard figures, (there being no supporting evidence submitted with the application) it is unlikely that the Stud Farm would be able to satisfy the financial test set out in PPG7.

CONCLUSION

The expert opinion is that the hay/straw barn design is not typical, that there are concerns as regards the 'generous' staff/visitor facilities and that if the additional four stables were approved then the business may be in a position where it could meet some of the functional and financial requirements of PPG7. However, the business is new and its long term future uncertain and in view of the concerns regarding the suitability of the proposed buildings for the uses proposed, it is considered that the need for them has not been demonstrated..

RECOMMENDATION: subject to the comments of the Highway Authority and the Environmental Health Officer making no material difference to the recommendation:-

REFUSE for the following reason

1. The proposed development appears unsuitable and unnecessary for the intended proposed uses due to the large restroom and the overall design of the barn. Therefore, the expansion of a non-agricultural use in the open countryside where the siting and scale of the development would be inappropriate to the Special Landscape Area and unsympathetic to the retention of the high quality of the landscape would be contrary to policy C6 and C2 of the Salisbury District Local Plan and the guidance of PPG7.

INFORMATIVE:

POLICY	PURPOSE
G2	General Criteria for Development

NOTES:

S/2004/843	13/04/2004	08/06/2004 10:46:10	JSR GENETICS LTD
WINT			WOLLEY AND WALLIS
Easting: 425658.9	Northing: 131960.9		

PROPOSAL:	CHANGE OF USE -NEW VEHICULAR ACCESS AND CHANGE OF USE OF EXISTING BUILDING AND LAND FROM AGRICULTURAL TO B1, B2 AND B8 USES
LOCATION:	COTSWOLD FARM WEST DEAN ROAD WEST TYTHERLEY SALISBURY SP5 1QA

REASON FOR REPORT TO MEMBERS

Contrary to Parish Council's recommendations.

SITE AND ITS SURROUNDINGS

The site comprises the central complex of buildings within Cotswold Farm (1.7 hectares). There are approximately 10 existing agricultural buildings, which are currently vacant. There is no access to this portion of the site from West Dean road, which is separated from the site by a dense belt of trees, hedges and undergrowth, subject to a Tree Preservation Order.

BACKGROUND

In the face of a declining agricultural economy, particularly the pig breeding sector, and in an apparent absence of demand from the local agricultural fraternity, the applicants have ceased operations at Cotswold Farm and are now seeking planning permission for alternative uses. The current application forms part of a suite of proposals that form a strategy for the future redevelopment of the farm:

- i) The use of land and buildings for B1, B2 and B8 uses (including new vehicular access)
- ii) The use of land and buildings for equestrian purposes, including new vehicular access and amendment of condition 3 of 73/DY/199 at 4 Cotswold Farm, to include occupation by equestrian workers
- iii) The use of land and buildings for equestrian purposes and the amendment of Condition 1 or 70/FY/102 at 1 Cotswold Farm, to include occupation by equestrian workers
- iv) The creation of a new vehicular access to serve Nos 2 and 3 Cotswold Farm.

An eleven month marketing exercise has resulted in several hundred enquiries, mainly for residential use. In cases where interested parties did not satisfy the agricultural occupancy conditions, they were advised of the situation and particulars were not issued. However, 350 sets of particulars were sent out and 48 viewings organised. No offers were received for any or all of the farm buildings at Cotswold farm, but there have been offers from interested parties who satisfy the occupancy condition for up to **three** of the dwellings, and negotiations are proceeding for the sale of Nos 2, 3 and 5 Cotswold Farm.

The applicant, in a supporting statement, has considered alternative farming uses for the site, including cattle farming. However, a beef enterprise would require substantial investment to upgrade slurry handling facilities, and the current economic climate for beef production does not support the investment. Furthermore, the scale of the buildings does not lend itself to grain storage, with the associated design standards.

THE PROPOSAL

The proposal forms part (i) of the above suite. Permission is sought to provide a new vehicular access to the site, and change the use of the existing agricultural buildings for B1, B2 and B8 uses for marketing purposes. The total site area is 1.71 hectares.

A belt of trees and hedges separate the buildings from West Dean road. The applicant is seeking to trim back the vegetation to create a verge, with appropriate sightlines for the access. The new access would form a cone in the vegetation, tapering from a width of about 7metres to just over 10 metres at the edge of the verge.

RELEVANT PLANNING HISTORY

03/1540	New access for 3 Cotswold Farm onto public highway	WD	1/10/03
03/1541	New vehicular access at Cotswold farm buildings	WD	1/10/03
03/1559	Hedgerow removal notice at Cotswold farm buildings	R	01/09/03
03/1560	Removal of hedge for vehicular access at 3 Cotswold Farm	R	01/09/03

CONSULTATIONS

Wilts County Council Highways Objection (see below)
Arboricultural Officer No objection subject to conditions (see below)

REPRESENTATIONS

Site Notice displayed	20/5/04
Neighbour notification	19/4/04
Third Party response	One letter of support received from neighbouring farm. Would be pleased to see the buildings and land in use and cared for. Proposed uses are suitable.
Parish Council response	No objection subject to conditions (provided storage is indoor only)

MAIN ISSUES

1. Suitability of the change of use from agricultural to business (B1), general industrial (B2) and storage/distribution (B8)
2. Impact of the proposed access on the Tree Preservation Order and Special Landscape Area
3. Highway Safety

POLICY CONTEXT

Policy G1, G2, E20, C21, C22, C6 and C8 of the adopted Salisbury District Local Plan,
PPG7 (Countryside)
PPG13 (Transport)

PLANNING CONSIDERATIONS

1. Suitability of the change of use to B1, B2 and B8 and impact of the proposed access.

PPG 7 states when assessing applications for the reuse or adaptation of a rural building, the primary consideration should be whether the nature and extent of the new uses are acceptable in planning terms. It should not normally be necessary to consider whether the building is no longer needed for its present purpose. Evidence that a building is not redundant is not by itself sufficient ground for refusal of permission for the new use.

Policy E20 echoes these objectives, and states that conversion of buildings in the countryside to employment use is considered acceptable, although the need to protect the quality of the environment and vitality of nearby settlements is recognised. Furthermore, there is no limitation on the type of employment activity to be undertaken in a converted building, provided that the

requirements of the policy are met and the type of operation is appropriate to the building and compatible with the surrounding rural area. It is not necessary under Policy E20 to show that the buildings are redundant. Policy E20 has six criteria that should be satisfied by the proposal:

Criteria i) Services, access and the local highway network

There is currently no vehicular access to the site. The applicant is proposing to trim back the vegetation to create a verge, with appropriate sightlines for the access. The new access would form a cone in the vegetation, tapering from a width of about 7metres to just over 10 metres at the edge of the verge.

The site is within the Special Landscape Area, and the trees and hedgerows are the subject of a Tree Preservation Order, both of which would be superseded by any planning approval. The applicant is seeking to remove a cone of the growth, measuring 7metres, tapering to 10 meters.

Following inspection of the site, the District Council's Arboricultural Officer considers that any works to provide the new access would have an impact on the root systems of adjacent trees. It would be prudent to attach a condition to any approval with a requirement for a "no-dig" construction method to be adopted. A method statement should be submitted to and approved by the local authority prior to construction, outlining this method. This would minimise any harmful effects of both construction and future traffic movement on the root zone, which means that trees would be less likely to become a problem to road users in the future.

Policy C6 and C8 of the adopted SDLP seek to protect the countryside and Special Landscape Area from development that would result in the loss of trees, hedges and other features that contribute to the character of the landscape. The applicant has stated that whilst it would be necessary to cut back vegetation overhanging the public highway and clear some undergrowth, it should not be necessary to remove any trees. Furthermore, the proposal, due to its limited area, is not considered to materially affect the Special Landscape Area for the reasons outlined by the Arboricultural Officer, and would not therefore be contrary to Policy C6 and C8. Under Policy C8, appropriate replacement tree and hedgerow planting would be sought as part of any planning permission.

The Highway Authority have raised concerns regarding the proposal, in that it would introduce a mixture of commercial vehicles on a single width rural road. The site is remotely located and would encourage car-borne trips. The Highway Authority have therefore recommended refusal on the following grounds:

- 1. The development would introduce and generate a mixture of commercial traffic on the unrestricted length of rural "C" class, single width road, to the detriment of road safety.*
- 2. The proposal would encourage the use of the private car, being poorly served by public transport, remote from populated areas where walking and cycling could be encouraged, and is contrary to the key aims of PPG 13, which seeks to reduce the growth in the length and number of motorised journeys.*

The proposal is therefore contrary to Policy G1 (i) and G2 (ii) of the adopted SDLP.

Criteria ii) the buildings are of permanent and substantial construction

Criteria iii) the form, bulk and design of the building are in keeping

Criteria v) no adverse effect on character of the countryside

The existing buildings are mainly single storey, and comprising breeze block construction with corrugated roofing. The buildings formerly housed pigs and are currently empty. The applicant has submitted an assessment of the structure of the buildings, and has concluded that the majority of the buildings would be capable of conversion without substantial reconstruction.

As the application is for a change of use, there are no proposals to materially alter the external appearance of the buildings, which are established farm buildings within the landscape. It is therefore considered, in the light of the applicant's submission, that the proposals would satisfy criteria (ii), (iii) and (v) for the majority of the principal buildings on the site.

Criteria (vi) the environment of any nearby dwellings will not adversely be affected.

The application site is some 300 metres from existing dwellings on the edge of Middle Winterslow. There are 5 bungalows on Cotswold Farm, currently subject to agricultural occupancy conditions. Three are subject to negotiations for sale, and amendments are sought for two, to include habitation by equestrian workers. The application site is at the heart of Cotswold Farm, and would physically separate the two equestrian establishments. If planning consent were granted, potential buyers of the equestrian sites would live adjacent to an employment site. The existing bungalows to the north of the proposed employment site are a minimum of 45metres from the site boundary, and to the south, the separation would be about 40 metres.

Environmental Health has raised concerns regarding the potential impact of noise from the proposed commercial units on existing residences.

As the applicant has not submitted the type of businesses that may occupy the site (this depends on future marketing), there are a number of potential impacts to consider in relation to adjacent dwellings and the nearby village, including the possibility of additional traffic (including HGV), noise and disturbance. The Local Planning Authority could impose conditions to control hours of business and deliveries, control noise emissions and require submission of mitigation proposals (such as sound insulation) before any development commences.

It is therefore considered that on balance, and provided appropriate conditions are imposed to minimise the potential impact of future business uses on existing dwellings, the proposal would satisfy criteria (vi) of policy E20.

Criteria (iv) the proposal would not prejudice the vitality of a nearby settlement

The site is some 1,250metres from the centre of Middle Winterslow. The applicant has not stated the type of businesses that may occupy the site. However, the site is considered to be sufficiently distant from the centre of the village that it would not prejudice the vitality of the settlement. The site has the potential to generate new local employment opportunities, in accordance with the sustainability principles of the adopted SDLP and Policy G1.

However, traffic generation to and from the site and the A30 may affect the vitality of this and neighbouring settlements. A B1, B2 or B8 use on the site of 1.71 hectares would potentially generate significant HGV movements through Middle Winterslow, Firsdawn, and East Winterslow. The application for B1, B2 and B8 use is therefore, in the absence of further details about the activity, contrary to Policy E20 (iv).

CONCLUSIONS

The applicant is seeking permission for a change of use from agricultural to business (B1, B2 and B8) use. The proposal is considered to satisfy criteria (i), (ii), (iii) and (v) of Policy E20, as the majority of the principle buildings would be capable of conversion from agricultural to business use without substantial reconstruction and there would be no material change to the appearance of the buildings. A new access would be constructed, and the impact of the construction on the SLA and Tree Preservation Order could be mitigated through appropriate conditions. Appropriate replacement planting could form part of any planning permission.

On balance, and provided appropriate conditions are imposed to minimise the impact of sound and hours of operation of future commercial uses on existing dwellings, the proposal would satisfy criteria (vi) of policy E20. Furthermore, the impact of the proposed B1 (business) and B2 (general industrial) uses on the vitality of nearby settlements may be acceptable, subject to the imposition of conditions to control hours of operation and potential noise generation.

However, it is considered that in the absence of further details regarding the end users, the potential HGV and other traffic movements that may be generated by the proposed use would detrimentally affect the vitality of nearby settlements, contrary to Policy E20 (iv). Furthermore, the Highway Authority consider that the impact of the development would be detrimental to road safety, and encourage the use of the private car, contrary to PPG13 and Policy G1 (i) and G2 (ii).

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

(1) The proposed employment use would potentially introduce and generate a mixture of commercial traffic on the unrestricted length of rural "C" class, single width road would potentially generate significant HGV and other vehicle movements through neighbouring settlements, to the detriment of residential amenity, contrary to Policy E20 (iv). Furthermore, as the site is poorly served by public transport and remote from populated areas where walking and cycling could be encouraged, the development would encourage additional motorised journeys, contrary to the key aims of PPG13 and Policy G1 and G2 of the adopted Salisbury District Local Plan.

NOTES:

S/2004/894	19/04/2004	14/06/2004 15:01:07	P DOWLING ESQ
REDL			BARCLAY & PHILLIPS LTD
Easting: 421507.823414683	Northing: 120431.518253326		

PROPOSAL:	CHANGE OF USE -CONVERSION OF EXISTING OUTBUILDINGS OF RESIDENTIAL ANNEXE
LOCATION:	SHERWOOD COTTAGE VICARAGE ROAD LOVER SALISBURY SP5 2PE

REASON FOR REPORT TO MEMBERS

Contrary to Redlynch Parish Council's recommendation to support the application.

SITE AND ITS SURROUNDINGS

The site comprises an L shaped, single storey stable block, including a gravelled yard, with a gateway opening onto Vicarage Road. Behind the stable block to the north west is a paddock area, and to the south west lies Sherwood Cottage. The stable block and its gravelled area are separated from Sherwood Cottage by a post and rail fence (which encloses a small orchard) and the gravelled parking area and garage for Sherwood Cottage. The building presently incorporates an office space and storage area, together with two stables.

THE PROPOSAL

The proposals seek to convert the existing stable block into an Annexe for the main property of Sherwood Cottage, to provide accommodation for dependent persons related to the owners of the existing property.

The proposed change of use would result in the conversion of the existing building, with an extension to the rear roof line to form new second storey accommodation in the roof space. The new accommodation would comprise downstairs: separate dining, living, kitchen, utility and breakfast rooms, wc, and hallway. An upstairs landing would lead to two bedrooms, and two bathrooms.

PLANNING HISTORY

86/151	Construction of new garage, porch and stables. Improvement and construction of new vehicular access	AC	13/03/86
90/1554	Re-build and extend existing stables and improve access	AC	02/01/91
91/0025	First floor extension to double garage	AC	06/03/91
93/1483	Relief from condition (03) of 90/1554 to allow office uses by Mr D Warner	AC	16/02/94
93/1484	Use as independent dwelling – stable block	R	21/01/94
95/1657	Stable block – vary condition (01) (temp permission) imposed on permission S/93/1483 to extend permission to February 1999	AC	17/01/96
03/2402	Change of use and conversion of storage/stable building to residential annex including raised roof	WD	12/3/04

CONSULTATIONS

Wilts County Council Highways	Objection, on grounds of highway safety.
Wessex Water Authority	Site is not located within a Wessex Water sewered area. Developer should agree connection points prior to commencement of development.
Environment Agency	No objection in principle, subject to conditions preventing water pollution during construction. Informative requiring application for consent to discharge under Water Resources Act 1991
Environmental Services	Condition to maintain the stables and dwelling in the same ownership, to prevent statutory nuisance.

REPRESENTATIONS

Site Notice displayed	25/5/04
Neighbour notification	23/4/04
Third Party response	None
Parish Council response	Support

MAIN ISSUES

1. Residential Development in the Countryside and Special Landscape Area.
2. Impact on Amenities
3. Impact on Highway Safety

POLICY CONTEXT

G1, G2, H33, H23, C22 and R2, D3

PLANNING CONSIDERATIONS

The site is within the New Forest Heritage Area and Special Landscape Area. The site also lies outside the defined Housing Policy Area for Lover. However, the conversion is intended to provide affordable housing for a dependent relative of the occupiers of Sherwood Cottage, and Policy H33 would support the development provided that the accommodation is the result of a conversion of an existing building *within the curtilage* of the main dwelling. Such development would normally be subject to a restriction preventing the ancillary accommodation from being let or sold separately from the main dwelling. The applicant has indicated that they would be happy to enter such an agreement.

The outbuildings are visually separated from the main dwelling by a small orchard (approx 18 metres in length), enclosed by post and rail fencing, and a gravelled parking area with double garage for Sherwood Cottage. There is a significant distance of approximately 45 metres from the north gable end of the garage to the southern corner of the outbuildings. The site therefore appears as two separate curtilages, each with a separate means of access to Vicarage Road, separated by the orchard, with gravelled areas enclosed by post and rail fencing. In the opinion of your officer, the building is therefore not within the curtilage of the main dwelling. Therefore, the proposed conversion would fail to satisfy the criteria under Policy H33 of the adopted District Local Plan. Members should however note that the site is in the same ownership as Sherwood Cottage, and the accommodation could therefore be restricted if so wished.

Given the overall design and spacious internal layout, and the divorced location of the building, the development could be construed as forming a separate dwelling. Under Policy H23, undeveloped land outside a Housing Policy Boundary and not identified for development in the local plan will be considered to be countryside. Policies C2 and C6 state that development in the countryside will be strictly limited, and will not be permitted unless it would maintain the local economy, maintain or enhance the environment. Furthermore, the location of new residential development should normally be well related to an existing settlement, with adequate facilities. As Lover has no significant services and facilities, it is not regarded as a sustainable location.

A previous application (S/93/1484) for conversion of the stable block to residential use was refused (21/4/1994) on the grounds that the building was not considered worthy of retention (by virtue of its appearance and age) and the development was contrary to national and local policies to protect the countryside. The Highway Authority also raised an objection to the proposed access on safety grounds. A subsequent application, identical to the current application, was withdrawn on 12th March 2004. The Highway Authority raised objections on the grounds that vehicles entering and leaving the sub standard access, at a point where visibility is virtually nil, would impede, endanger and inconvenience other road users to the detriment of highway safety. The Highway Authority has re-affirmed this objection in respect of the current application.

CONCLUSION

The proposals would not satisfy the requirements of Policy H33 as the accommodation would not be the result of a conversion of an existing building within the curtilage of the main dwelling (Sherwood Cottage). Furthermore, the details and scale of the proposal suggest a separate house, not a small annexe.

Given that the proposal is tantamount to a the creation of a new house in the open countryside, it is also considered to be contrary to Policy H23 and G1 and D3 as it would represent a new dwelling in the open countryside, in an unsustainable location.

Vehicles entering and leaving the sub standard site access would impede the visibility of, endanger and inconvenience other road users, to the detriment of highway safety, contrary to Policy G2.

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

(1) The proposals would not satisfy the requirements of Policy H33 (Accommodation for Dependent Persons) as the creation of the accommodation would require the significant extension of the existing building outside the curtilage of the main dwelling (Sherwood Cottage). Furthermore, the details and scale of the proposal suggest a separate house, not a small annexe.

Consequently, the proposed development would be tantamount to the creation of a new dwelling, in the open countryside, in an unsustainable location, contrary to Policy H33, H23, and G1 of the adopted Replacement Salisbury District Local Plan.

(2) Vehicles resulting from the proposed development entering and leaving the sub-standard access at a point of poor visibility, would impede the visibility of, endanger and inconvenience other road users of Vicarage Road, to the detriment of highway safety, contrary to Policy G2.

(3) The proposal makes no provision for public open space, contrary to Policy R2.

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

8	Case Officer Mrs J Wallace	Contact No 01722 434687	8
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S/2004/579	15/03/2004	10/05/2004 14:22:18	
REDL			
Easting: 425165.8	Northing: 117618		

PROPOSAL:	FULL APPLICATION -ADDITIONAL DWELLING ADJACENT TO THE CROFT AND CONSTRUCTION OF ACCESS
LOCATION:	LAND ADJACENT TO - THE CROFT SCHOOL ROAD NOMANSLAND SALISBURY SP5 2BY

REASON FOR REPORT TO MEMBERS

In view of previous appeal decision, HDS does not consider it prudent to exercise delegated powers

SITE AND ITS SURROUNDINGS

The proposed site, which forms part of the garden of The Croft, is within an established residential area of dwellings of mixed ages and styles.

THE PROPOSAL

It is proposed to construct a chalet bungalow with dormer roofs and a detached garage. The details propose a three bedroomed dwelling positioned towards the northern edge of the plot with access adjacent to boundary with Rosemead and separated from the Croft by the existing access and a proposed new garage

PLANNING HISTORY

2003/1231 New dwelling and new access R

'The proposed development for an additional dwelling would constitute an unsatisfactory sub-division of an existing plot resulting in a cramped form of over development, out of keeping with the general scale and character of the existing development in the area. Furthermore it would be likely to result in the development being over-dominant and overbearing in relation to the neighbouring dwellings, and would adversely affect their amenities. As such the proposal would be contrary to Adopted Salisbury District Local Plan policies D2, G2 (vi) and HA2'.

Appeal dismissed 29/01/04

CONSULTATIONS

WCC Highways	No objections in principle subject to conditions regarding gates and 2m area adjacent to the carriageway being kept clear of obstructions and no gates erected across the entrance
Environmental Health	No objection

REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes expiry date 15/04/04
Departure	No
Neighbour notification	Yes expiry date 8/04/04
Third Party response	5 letters of objection on grounds of: -
1 Highway danger caused by a new access so close to school	
2 Proposed off street parking is inadequate and there are no turning areas proposed for The Croft of new dwelling	
3 Dwelling is out of character with existing bungalows	
4 Site is too small for a dwelling	
5 change of character of area	
6 urbanising the area	
7 Loss of light and privacy	
8 Both the new house and 'The Croft' will have inadequate garden areas	

Parish Council response	Support
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MAIN ISSUES

Principle of development
Impact on street scene
Impact on neighbours' amenity
Highway safety

POLICY CONTEXT

G2, D2, HA2 and R2 of Adopted Salisbury District Local Plan June 2003 and PPG3 which advocates the more efficient use of land within settlements with a good level of local services and good access to transport.

PLANNING CONSIDERATIONS

Principle of development

The area is included within the Housing Policy Boundary in the Approved Salisbury District Local Plan. The principle of infilling development is therefore acceptable if the criteria within the Local Plan i.e. policies those of G2 and D3 can be met. Government guidance in PPG3 also encourages the efficient use of land.

The site was originally part of the garden of 'The Croft' and in the immediate area around the application site, the existing dwellings are a varied mixture and there is also considerable variety in the plot shapes and sizes. However, the application site is acknowledged to be a smaller plot than almost all others in the vicinity. However if the proposal would be acceptable in terms of its relationship to nearby dwellings and the character of the area then in view of current Government guidance in PPG3 to use land efficiently the smaller size of the plot is not be an automatic reason for refusal. Whilst a smaller site than others locally, it is considered that the development on the plot of a small dwelling of an appropriate design and materials would not be harmful to the amenities of this locality. It is considered that in principle, a chalet bungalow would not be out of keeping with the character with the local area.

Impact on street scene

The Inspector in his appeal decision agreed that whilst the principle of residential infill was not in dispute he considered that the proposed development was uncharacteristic of the local area being prominent in the street scene and with little garden space giving an urban rather than a semi-rural character.

The proposed design is for a smaller three bedroomed dwelling, set further into the site and slightly 'back' of Rosemead and The Croft. These alterations reduce the dwelling's prominence in the street scene in comparison with the previous proposal. Additionally the proposed development is still across almost the full width of the plot, which is not a characteristic of semi-rural locations

On balance however, it is considered that the Inspector's concerns regarding the urban character of the development have been overcome.

Impact on occupier's amenity

The proposed plot and that created for The Croft by this sub-division would still be much smaller than those in the vicinity. The rear garden for both the new dwelling and The Croft will also be very small, having a depth of approximately 6metres; this is considered to be very small in a village setting, uncharacteristic of the locality and could be considered cramped for a family dwelling.

Impact on neighbours' amenity**Rosemead**

The proposed dwelling would be to the south of Rosemead which would limit the loss of daylight and sunlight and as the elevation closest would have no windows at the first floor level, there would be minimal overlooking and loss of privacy, though there would still be some loss of light and sunlight in comparison to the existing situation by the presence of the new development. However, there may be some loss of privacy by virtue of the large rear window at the first floor level, however, this is to a bedroom and will be at an oblique angle. On balance it is not considered that there will be such a loss of privacy and light as to warrant refusal on these grounds alone.

The Croft

The proposed new dwelling is immediately adjacent to the boundary with 'The Croft' and the Inspector was concerned regarding the impact of this new development on the amenities of this property as 'The Croft' is a very small bungalow whose outlook he considered would be detrimentally effected by the presence of a new dwelling which would be unacceptably dominating and overbearing. The new proposal though reduced in size and set further back within the site, will still cover almost the full width of the plot and will because of its size and height still tend to dominate and overshadow 'The Croft'.

Highway safety

Access and parking for the new dwelling is proposed adjacent to the northern boundary of the site and Rosemead. The Highway Authority does not object to this proposed vehicular access. However the Authority has requested that a 2metres strip in front of the dwelling be left unobstructed above 900mm. to provide adequate visibility.

Concern has been expressed that the proposed access is immediately opposite to the school entrance, that the road is very narrow at this point and that the congestion created in this area particularly at the beginning and end of the school day will be exacerbated. However the objections are more to the behaviour of the parents delivering and collecting the children than to the new dwelling

The behaviour of the parents is impossible to control with this planning application and it is considered that a refusal of the new dwelling on these grounds alone may be difficult to defend on appeal, given that it may be difficult to prove conclusively that the erection of one additional dwelling would result in such an increase in congestion as to create a highway hazard and danger to the children attending the school, particularly as the Highway Authority has no objections to the proposal.

CONCLUSION

This is a finely balanced judgement. This application could be considered to be the development of a plot smaller than the norm, and the previous proposal for a larger dwelling on this site was dismissed on appeal. However in view of government guidance in PPG3 and the comments made in the Inspectors decision which stated that the principle of development was not in dispute, it is considered that on balance, this site could be developed residentially.

Consequently, because of the proposed alterations to the design, the reduced size and bulk and amended position of the proposed dwelling the proposal is an improvement on the previous proposal and it is considered that in the main, the objectors comments and concerns have been addressed. Whilst the concerns of the neighbors regarding the likely congestion and highway danger have been noted, the refusal of this application on that basis alone would be difficult to support. On balance approved is recommended.

RECOMMENDATION: 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, then this authority is minded to grant planning permission to the above application 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 0016: To ensure that the proposed buildings [s] will be in keeping with the existing character of its/their surroundings, in the interests of visual amenity.

3. 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 dwelling.

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

4. No gates shall be erected across the access without the prior approval in writing of the Local Planning Authority

Reason: In the interests of Highway safety.

5. Before the access hereby permitted is brought into use, the area between the nearside carriageway edge and a line drawn 2metres parallel thereto over the entire site frontage shall be cleared of any obstruction to visibility at or above a height of 900mm above the nearside carriageway edge and thereafter maintained free of obstruction at all times

Reason In the interests of Highway safety

6. Notwithstanding the provisions of Class[es] A - 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: 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.

Informatives:

1. In accordance with the following policies

Policy	Purpose
G2	General criteria for development
D2	Design criteria for new dwellings
HA2	Housing Policy Boundary
R2	Contribution to Open Space provision

of Adopted Salisbury District Local Plan June 2003 and PPG3

INFORMATIVE: - PARTY WALL ACT

It is noted that the development hereby approved involves construction on or near a boundary with an adjoining property. The applicant is advised that this planning permission does not authorise any other consent which may be required from the adjoining landowner or any other person, or which may be required under any other enactment or obligation.

NOTES:

S/2004/701	26/03/2004	21/05/2004 16:07:07	MR & MRS J HENDERSON
REDL			
Easting: 419611.5	Northing: 119769.3		

PROPOSAL:	FULL APPLICATION -REAR EXTENSION TO DWELLING
LOCATION:	SEARCHLIGHTS LODGE DROVE WOODFALLS SALISBURY SP5 2NH

REASON FOR REPORT TO MEMBERS

Employee application

SITE AND ITS SURROUNDINGS

Search Lights, Lodge Drove, Woodfalls

The building is a large chalet bungalow situated within the Housing Policy Boundary of Redlynch. The dwelling has already been increased in size, with an added side extension and double garage with room over.

THE PROPOSAL

Rear extension to dwelling. The extension will protrude 5 metres into the garden, with a balcony to the rear, adding another 2 metres in length to the proposal. The height of the extension will match the existing roofline.

PLANNING HISTORY

88/1691	O/L Application for 2 new dwellings and access	AC	26/09/88
90/1238	Single dwelling with alterations to access	AC	03/09/90
93/1603	Double garage with hobbies room over	AC	16/02/94
98/1176	Single storey side extension	AC	21/08/98

CONSULTATIONS

None

REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes
Departure	No
Neighbour notification	Yes
Neighbour response	Yes
One letter of objection, commenting on overdevelopment of site, and overlooking from the open veranda into garden.	
Parish Council response	Support

MAIN ISSUES

Affect on Neighbour Amenity
Scale of Development

POLICY CONTEXT

G2	-	General Criteria for Development
D3	-	Good Design
H16	-	Housing Policy Boundary

PLANNING CONSIDERATIONS

Visual Amenity

The extension will significantly increase the size of the building, and will result in a dwelling of a larger scale. However, the scale of the development is not considered to be unreasonable for the area, given the size of other properties in the area, and the position of the dwelling in a relatively large plot of land.

The extension will merge together with the existing building and will be built to the same height, ensuring that the development will not be inappropriate or detract from the character of the property.

The property is not listed, and is of no particular merit, and the proposed changes would be sympathetic to the modern architecture of the dwelling. Materials will match the existing building.

The proposal is considered sympathetic in design and scale to the character and appearance of the existing dwelling and the materials appropriate to the local environment.

Affect on neighbour amenity

Despite the extended roofline, it is considered that due to the screening of the site, the extra scale of the building will not detract from the appearance of the dwelling, and will not over dominate the site or the surrounding skyline.

The two bathroom and joint bedroom/bathroom windows on the eastern elevation will face the neighbouring property Swinley Bottom and there is a concern that overlooking will occur to ground floor windows of the neighbouring property.

However, it is considered that due to the boundary screening of the site, overlooking from the velux windows will not be increased to a significant degree to warrant refusal.

The balcony to the rear will increase overlooking to the southerly part of the rear garden of Swinley Bottom. However, as the outlook from the veranda will be oblique, and the site is extensively screened by mature vegetation, overlooking is not considered to be significantly intrusive to warrant refusal.

CONCLUSION

Despite the large increase in the scale of the dwelling, the size of the plot and the boundary screening ensure that there is no adverse impact on the character of the property or on the surrounding area.

The extensive boundary screening on site reduces the possibility of overlooking and overshadowing to the neighbouring property, and it is considered that the impact on neighbour amenity will not be increased to a significant degree to warrant refusal.

RECOMMENDATION: Approve

For the following reasons:-

The scale, design, siting and materials proposed are appropriate to the general development criteria, in accordance with the adopted SDLP policies.

And 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

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

2. The materials to be used in the construction of the external surfaces of the extension(s) hereby permitted shall match those used in the existing building. (D01A)

Reason 0013: To ensure that the proposed extension will satisfactorily harmonise with the external appearance of the existing building.

3. There shall be no windows on the side elevation of the building/extension hereby permitted unless otherwise agreed in writing by the Local Planning Authority.

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

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

G2	-	General Criteria for Development
D3	-	Good Design
H16	-	Housing Policy Boundary

NOTES:

S/2004/741	31/03/2004	26/05/2004 13:13:52	MR FRY
WINT			MR S P MANKIN
Easting: 424282.560387671	Northing: 132733.368512988		

PROPOSAL:	FULL APPLICATION -DEMOLITION OF EXISTING BUILDING AND ERECTION OF TWO CHALET BUNGALOWS INCLUDING NEW ACCESS ARRANGEMENTS
LOCATION:	THE POST OFFICE MIDDLETON ROAD WINTERSLOW SALISBURY SP5 1QJ

REASON FOR REPORT TO MEMBERS

Councillor Devine requests that this application be decided by Committee in view of the controversial nature of the proposal

SITE AND ITS SURROUNDINGS

The site is located in an established residential area of mixed ages and styles. The site contains a small bungalow sited to the front of the plot with the front laid to provide off street parking.

THE PROPOSAL

It is proposed to demolish the existing bungalow and erect two chalet style dwellings

PLANNING HISTORY

1998/2078 Construction of new delivery office and garage at rear of property AC

CONSULTATIONS

WCC Highways	- none yet received
Environmental Health Officer	- no observations
Wessex Water Authority	- not our sewer but point of connection to water mains can be agreed prior to works commencing
Southern Water	- A public sewer crosses the site and a minimum of a 3m easement will be required. Connection to sewer can be agreed at design stage. No surface water to be discharged to foul sewer as this could cause flooding to downstream properties
Environment Agency	- no comment

REPRESENTATIONS

Advertisement	Yes expiry date 6/05/04
Site Notice displayed	Yes expiry date 6/05/04
Departure	No
Third Party notification	Yes expiry date 23/04/04
Third Party response	none
Parish Council response	Support subject to condition that the Post box remains in the locality

MAIN ISSUES

Principle
Scale, design and impact on amenities

POLICY CONTEXT

G2, D2, TR11, R2, H16 and PS3 of SDLP

PLANNING CONSIDERATIONS

Principle

The site is located within the Winterslow Housing Policy Boundary where the principle of a residential development is acceptable.

However, the Local Planning Authority recognises in the Replacement Local Plan the importance of maintaining facilities and services within villages as they contribute to the economic vitality and sustainability of settlements.

The potential loss of a shop/post office from the community by its redevelopment could be devastating upon certain vulnerable groups within the community. However, the applicant's supporting statement proposes that the post office element of the business will be transferred to the other shop within Winterslow, the Central Stores. However, until such time as a post office business is given up, it is not possible for The Post Office to comment officially on any proposal to relocate the business. It would appear that this possibility will occur and there have been no public expressions of concern regarding the loss of the post office or shop by either the Parish Council or third parties.

Policy PS3 is concerned regarding the change of use of premises that are currently used for retailing or provide a service central to the economic or social life of the village. No firm evidence has been provided that the existing shop and post office are no longer viable, the Applicant's statement is not accompanied by any professional documentation and the business has not been marketed. However, in view of the complete lack of interest in the potential loss of this facility that has been expressed by the local community and because an alternative shop exists at the other end of the village, close to the Primary School, it would be difficult to justify a refusal of this proposal solely on the grounds that the facility was central to the economic or social life of the village.

Scale and design and impact on amenities

The existing bungalow is sited slightly forward of adjacent properties and the front elevation of the proposed replacement dwellings are set back similar to adjacent properties with the garages set forward to provide additional privacy, is considered acceptable.

The proposed new chalet bungalows reflect the general characteristics of the area and whilst similar to each other retain essential differences, which bring character to the street scene. They have been carefully designed to reduce the impact on the neighbours' amenities. In terms of their position within the site, overshadowing and overlooking. Invasion of privacy is limited by the lack of first floor windows on the side elevation of dwelling no1 and by the inclusion of only one – a first floor bedroom window in dwelling no.2. There have been no objections by neighbours to this window but it is considered that in the interests of amenities permitted development rights to insert additional windows at the first floor level should be removed. Overall the proposed design of the dwelling is considered acceptable.

R2

As the existing dwelling/shop/PO is to be replaced by two new dwellings a contribution towards public open space will be required for the additional dwelling.

REASONS FOR APPROVAL

The existing shop and post office are not central to the economic or social life of the village and provided the post office is relocated to the other premises within Winterslow, the proposed replacement dwellings are considered to be acceptable in accordance with policies within SDLP.

RECOMMENDATION: subject to S106 relating to R2 and
to any comments of the Highway Authority

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

(2) The development shall be carried out in strict accordance with the drawing[s] hereby approved, or with such other details as may subsequently be submitted to and approved in writing by the Local Planning Authority. (B05A)

Reason: For the avoidance of doubt.

(3) 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.

(4) No development shall take place until details of the treatment of the INSERT boundary[ies] 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]. (G20A)

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

(5) Prior to the occupation of the dwelling, the area between the entrance and the edge of the carriageway shall be properly consolidated and surfaced (not loose stone or gravel) for which details shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a satisfactory form of access is provided in the interests of highway safety.

(6) Any gates provided to close the proposed access should be made to open inwards only

Reason: To ensure that a satisfactory form of access is provided in the interests of highway safety.

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

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

(8) The integrity of the public sewer shall be maintained.

Reason: In the interests of amenity.

(9) There shall be no windows on the sides on the first floors of the buildings hereby permitted, other than those shown on drawings 04027/3 and 04026/3 dated 31 March 2004.

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

(10) Notwithstanding the provisions of Class[es] A - 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: To enable the Local Planning Authority to ensure that sufficient space is retained around the dwelling(s) in the interests of neighbourliness and amenity.

(11) The garage[s] shown on the approved drawing(s) shall not be converted into a habitable room without the permission in writing of the Local Planning Authority. (E06A)

Reason: To secure the retention of adequate off-street car parking provision.

INFORMATIVES:

POLICY	PURPOSE
PS3	Community Facilities
G2	General Criteria for Development
D2	Design Criteria for new dwellings
H16	Housing Policy Boundary
TR11	Off street car parking
R2	Open Space contribution

of the Adopted Replacement Salisbury District Local Plan .

2. Party Wall Act

It is noted that the development hereby approved involves construction on or near a boundary with an adjoining property. The applicant is advised that this planning permission does not authorise any other consent which may be required from the adjoining landowner or any other person, or which may be required under any other enactment or obligation.

3. Southern Water Sewer. A public sewer crosses the site and its exact location must be determined prior to development commencing. Thereafter a three metre easement for access will be required.

NOTES:

S/2004/844	19/04/2004	14/06/2004 11:12:37	JSR GENETICS LTD
WINT			WOOLLEY & WALLIS
Easting: 425658.9	Northing: 131960.9		

PROPOSAL:	CHANGE OF USE -NEW VEHICULAR ACCESS, CHANGE OF USE OF LAND AND EXISTING BUILDINGS FROM AGRICULTURAL TO EQUESTRIAN AND AMEND CONDITION 3 OF 73/DY/199
LOCATION:	COTSWOLD FARM WEST DEAN ROAD WEST TYTHERLEY SALISBURY SP5 1QA

REASON FOR REPORT TO MEMBERS

Requested by Cllr R Devine.

SITE AND ITS SURROUNDINGS

The site comprises part of the northern residential curtilage within Cotswold Farm, and seven adjacent agricultural buildings. There are two single storey bungalows within the northern curtilage, but the application site refers to one bungalow only. There is an existing shared access from West Dean road, which is separated from the site by a dense belt of trees, hedges and undergrowth.

BACKGROUND

In the face of a declining agricultural economy, particularly the pig breeding sector, and in an apparent absence of demand from the local agricultural fraternity, the applicants have reluctantly ceased operations at Cotswold Farm and are now seeking planning permission for alternative uses. The current application forms part of a suite of proposals that form a strategy for the future redevelopment of the farm:

- v) The use of land and buildings for B1, B2 and B8 uses (including new vehicular access)
- vi) The use of land and buildings for equestrian purposes, including new vehicular access and amendment of condition 3 of 73/DY/199 at 4 Cotswold Farm, to include occupation by equestrian workers
- vii) The use of land and buildings for equestrian purposes and the amendment of Condition 1 or 70/FY/102 at 1 Cotswold Farm, to include occupation by equestrian workers
- viii) The creation of a new vehicular access to serve Nos 2 and 3 Cotswold Farm.

An eleven month marketing exercise has resulted in several hundred enquiries, mainly for residential use. In cases where interested parties did not satisfy the agricultural occupancy conditions, they were advised of the situation and particulars were not issued. However, 350 sets of particulars were sent out and 48 viewings organised. No offers were received for any or all of the farm buildings at Cotswold farm, but there have been offers from interested parties who satisfy the occupancy condition for up to **three** of the dwellings, and negotiations are proceeding for the sale of Nos 2, 3 and 5 Cotswold Farm.

The applicant, in a supporting statement, has considered alternative farming uses for the site, including cattle farming. However, a beef enterprise would require substantial investment to upgrade slurry handling facilities, and the current economic climate for beef production does not support the investment. Furthermore, the scale of the buildings does not lend itself to grain storage, with the associated design standards.

THE PROPOSAL

The proposal forms part (ii) of the above suite. Permission is sought to provide a new vehicular access to the second bungalow, change the use of seven existing agricultural buildings for equestrian use, and amend an existing agricultural occupancy condition (3 of 73/DY/199) relating to

4 Cotswold Farm, to include the breeding, keeping or training of horses. The adjacent bungalow, No5, as suggested above, is currently under negotiation for sale with the existing agricultural occupancy condition attached.

A belt of trees and hedges separate the dwellings from West Dean road. The applicant is seeking to trim back the vegetation to create a verge, with appropriate sightlines for the access. The new access would form a cone in the vegetation, tapering from a width of about 7metres to just over 10 metres at the edge of the verge.

RELEVANT PLANNING HISTORY

03/1540	New access for 3 Cotswold Farm onto public highway	WD	1/10/03
03/1541	New vehicular access at Cotswold farm buildings	WD	1/10/03
03/1559	Hedgerow removal notice at Cotswold farm buildings	R	01/09/03
03/1560	Removal of hedge for vehicular access at 3 Cotswold Farm	R	01/09/03

CONSULTATIONS

Wilts County Council Highways	No objection subject to conditions
Arboricultural Officer	No objection subject to conditions (See comments below)

REPRESENTATIONS

Site Notice displayed	20/5/04
Neighbour notification	19/4/04
Third Party response	One letter of support received from neighbouring farm. Would be pleased to see the buildings and land in use and cared for. Proposed uses are suitable.
Parish Council response	No objection

MAIN ISSUES

4. Impact of the change of use from agricultural to equestrian
5. The need for residential accommodation related to the equestrian use
6. Impact of the proposed access on the Tree Preservation Order and Special Landscape Area
7. Highway Safety

POLICY CONTEXT

Policy G1, G2, H29, C21, C22, C6 and C8 of the adopted Salisbury District Local Plan, PPG7 (Countryside)

PLANNING CONSIDERATIONS

1. Impact of the change of use from agricultural to equestrian

PPG 7 states that Local Planning Authorities should adopt a positive approach in considering planning applications for horse-based development, which respect the rural environment. When assessing applications for the reuse or adaptation of a rural building, the primary consideration should be whether the nature and extent of the new uses are acceptable in planning terms. It should not normally be necessary to consider whether the building is no longer needed for its present purpose. Evidence that a building is not redundant is not by itself sufficient ground for refusal of permission for the new use.

Policy C22 sets out the criteria for changes of use of agricultural buildings. It is considered that Criteria (i), (iv) and (v) are not applicable to the application. Criteria (ii) requires the building to be capable of conversion without substantial reconstruction. The single storey buildings comprise breeze block construction with corrugate roofing. The buildings formerly housed pigs and are currently empty. The applicant has submitted an assessment of the structure of the buildings, and has concluded that the majority of the principal buildings would be capable of conversion without substantial reconstruction.

Criteria (iii) requires the buildings to be appropriate to their setting, and capable of adaptation without detriment to its external appearance. As the application is for a change of use, there are no proposals to materially alter the external appearance of the buildings, which are established farm buildings within the landscape. It is therefore considered, in the light of the applicant's submission, that the proposals would satisfy Policy C22.

2. The need for residential accommodation related to the equestrian use

Policy H29 sets out the conditions under which an existing agricultural occupancy could be removed. However, the applicant is not seeking to remove the condition, but amend it to include the breeding, keeping or training of horses. The applicant has submitted statement outlining the need for the equestrian workers to be accommodated on site. The reasons for this need related to animal welfare and security reasons for people to be based on site where the animals are housed.

There is no evidence submitted in support of a particular equine business enterprise, as permission is sought to assist marketing purposes. The supporting statement which summarises the eleven month marketing exercise outlines a latent demand for equestrian uses from riding school /livery /breeding establishments, provide that planning permission and residential issues can be resolved.

Having considered the results of the marketing exercise, and the advice given in PPG7 in respect of equestrian related development, it is considered that the proposed amendment to the agricultural occupancy condition would be acceptable.

3. Impact of the proposed access on the Tree Preservation Order and Special Landscape Area

The site is within the Special Landscape Area, and the trees and hedgerows are the subject of a Tree Preservation Order, both of which would be superseded by any planning approval. The applicant is seeking to remove a cone of the growth, measuring approximately 7metres, tapering to just over 10 meters.

Following inspection of the site, the District Council's Arboricultural Officer considers that any works to provide the new access would have an impact on the root systems of adjacent trees. It would be prudent to attach a condition to any approval with a requirement for a "no-dig" construction method to be adopted. A method statement should be submitted to and approved by the local authority prior to construction, outlining this method. This would minimise any harmful effects of both construction and future traffic movement on the root zone, which means that trees would be less likely to become a problem to road users in the future.

Policy C6 and C8 of the adopted SDLP seek to protect the countryside and Special Landscape Area from development that would result in the loss of trees, hedges and other features that contribute to the character of the landscape. The applicant has stated that whilst it would be necessary to cut back vegetation overhanging the public highway to provide the visibility splays and clear some undergrowth, it should not be necessary to remove any trees. Furthermore, the proposal, due to its limited area, is not considered to materially affect the Special Landscape Area, and would not therefore be contrary to Policy C6 and C8. Under Policy C8, appropriate replacement tree and hedgerow planting would be sought as part of any planning permission.

4. Highway Safety

The Highway Authority have raised no objections to the proposal, but because the site may be made by large vehicles and horse trailers, appropriate conditions regarding the proposed access and visibility splays should be attached to an approval.

CONCLUSIONS

The applicant is seeking permission for a change of use from agricultural to equine use. It is considered that sufficient information has been submitted regarding the marketing of the site, and that there has been no demand over the eleven month period for the farm buildings, which are currently empty. Marketing has exposed some latent demand for equine use, subject to planning approval and residential availability on site. The majority of the principal buildings would be capable of conversion from agricultural to equine use without substantial reconstruction and there would be no material change to the appearance of the buildings, in accordance with Policy C22.

The proposed amendment to the existing agricultural occupancy condition would enable equine workers to be available on site for animal safety and welfare reasons. The proposed amendment to include the suggested equestrian activity would therefore be acceptable.

On balance, subject to a suitable method statement being submitted prior to construction for approval by the Local Planning Authority, the proposals would not adversely affect the Special Landscape Area as the total area of the main body of trees and hedgerow required by the access and associated visibility splays would not amount to a significant loss. Appropriate replacement planting could form part of any planning permission.

RECOMMENDATION: **APPROVE** for the following reasons:

- (1) The proposed change of use from agricultural to equine use could be accommodated within the existing agricultural buildings without substantial reconstruction, and would not detrimentally affect the setting of the buildings within the Special Landscape Area, in accordance with Policy C22.
- (2) The applicant has sufficiently justified the need for the amendment to the existing agricultural occupancy condition to include the breeding, keeping or training of horses, in accordance with the guidance set out in PPG7 and Policy H29 of the adopted Salisbury District Local Plan.
- (3) The proposals would, on balance, satisfy the requirements of Policy C6 and C8 (Landscape Conservation) as the creation of the proposed access and visibility splays would not require a significant area of the belt of trees and hedgerows adjacent to West Dean road.

AND 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 & Country Planning Act 1990.

2. The development shall be carried out in strict accordance with the drawing hereby approved, or with such other details as may be subsequently submitted to and approved in writing by the Local Planning Authority. (B05A)

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

3. No works or development shall take place until a schedule of proposed replacement tree and hedge planting (including details of size, species, times of planting and the positions of all trees) has been approved in writing by the Local Planning Authority. All tree planting shall be carried out in accordance with the schedule.

Reason: To enable the Local Planning Authority to secure a scheme of tree and hedge planting which relates satisfactorily to the characteristics and timing of the development, in the interests of landscape conservation.

4. The occupation of the dwelling shall be limited to a person solely or mainly or last employed in the locality in agriculture as defined in Section 336 of the Town & Country planning Act 1990 or in forestry, or in the breeding, keeping or training of horse (including any dependants of such a person residing with him) or a widow or widower of such a person.

Reason: The site of the dwelling is within an area where planning permission would not normally be granted for development unrelated to the essential needs of agriculture or forestry.

5. Before development is commenced, a method statement outlining the method of construction of the access (using a "no dig" method) and demonstrating how existing root systems shall be protected, shall be submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the existing root systems during and after construction

6. Details of the means of access to the site shall be submitted to and approved in writing to the Local Planning Authority

Reason: In the interests of highway safety

7. Before the access hereby permitted is brought into use, the area between the nearside carriageway edge and lines drawn between a point 2.0 metres back from the carriageway edge along the centre line of the access shall be cleared of obstruction to visibility at and above a height of 500mm (to allow for grass and plant growth) above the nearside carriageway level and thereafter maintained free of obstruction at all times

Reason: In the interests of highway safety

8. Any access gate shall be set back 10 metres from the edge of the carriageway and the access shall include the provision of a 10 metres radii (not 6 metres as shown on the submitted plan), constructed of suitable materials.

Reason: In the interests of highway safety

9. The driveway between the edge of carriageway and any gates (or for a distance of 10 metres from the edge of the carriageway if gates are not proposed) shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with the details which have been submitted to and approved by the Local Planning Authority

Reason: In the interests of highway safety

10. Provision shall be made within the site for the disposal of surface water so as not to prevent its discharge onto the highway, details of which shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of highway safety.

NOTES:

S/2004/845	13/04/2004	08/06/2004 11:25:11	JSR GENETICS LTD
WINT			WOLLEY AND WALLIS
Easting: 425624.447874069	Northing: 131863.544618607		

PROPOSAL:	CHANGE OF USE -CHANGE OF USE OF LAND AND EXISTING BUILDINGS FROM AGRICULTURAL TO EQUESTRIAN AND AMEND CONDITION 1 OF 70/FY/102
LOCATION:	COTSWOLD FARM WEST DEAN ROAD WEST TYTHERLEY SALISBURY SP5 1QA

REASON FOR REPORT TO MEMBERS

Requested by Cllr R Devine.

SITE AND ITS SURROUNDINGS

The site comprises part of the southern complex within Cotswold Farm, including one bungalow and three agricultural buildings. There is an existing access to the application site from West Dean road.

BACKGROUND

In the face of a declining agricultural economy, particularly the pig breeding sector, and in an apparent absence of demand from the local agricultural fraternity, the applicants have reluctantly ceased operations at Cotswold Farm and are now seeking planning permission for alternative uses. The current application forms part of a suite of proposals that form a strategy for the future redevelopment of the farm:

- ix) The use of land and buildings for B1, B2 and B8 uses (including new vehicular access)
- x) The use of land and buildings for equestrian purposes, including new vehicular access and amendment of condition 3 of 73/DY/199 at 4 Cotswold Farm, to include occupation by equestrian workers
- xi) The use of land and buildings for equestrian purposes and the amendment of Condition 1 or 70/FY/102 at 1 Cotswold Farm, to include occupation by equestrian workers
- xii) The creation of a new vehicular access to serve Nos 2 and 3 Cotswold Farm.

An eleven month marketing exercise has resulted in several hundred enquiries, mainly for residential use. In cases where interested parties did not satisfy the agricultural occupancy conditions, they were advised of the situation and particulars were not issued. However, 350 sets of particulars were sent out and 48 viewings organised. No offers were received for any or all of the farm buildings at Cotswold farm, but there have been offers from interested parties who satisfy the occupancy condition for up to **three** of the dwellings, and negotiations are proceeding for the sale of Nos 2, 3 and 5 Cotswold Farm.

The applicant, in a supporting statement, has considered alternative farming uses for the site, including cattle farming. However, a beef enterprise would require substantial investment to upgrade slurry handling facilities, and the current economic climate for beef production does not support the investment. Furthermore, the scale of the buildings does not lend itself to grain storage, with the associated design standards.

THE PROPOSAL

The proposal forms part (iii) of the above suite. Permission is sought to change the use of three existing agricultural buildings for equestrian use, and amend an existing agricultural occupancy condition (1 of 70/FY/102) relating to 1 Cotswold Farm, to include the breeding, keeping or training of horses. The adjacent bungalows, Nos 2 and 3, as suggested above, are currently under negotiation for sale with the existing agricultural occupancy condition attached.

RELEVANT PLANNING HISTORY

03/1540	New access for 3 Cotswold Farm onto public highway	WD	1/10/03
03/1541	New vehicular access at Cotswold farm buildings	WD	1/10/03
03/1559	Hedgerow removal notice at Cotswold farm buildings	R	01/09/03
03/1560	Removal of hedge for vehicular access at 3 Cotswold Farm	R	01/09/03

CONSULTATIONS AND REPRESENTATIONS

Site Notice displayed	20/5/04
Neighbour notification	19/4/04
Third Party response	One letter of support received from neighbouring farm. Would be pleased to see the buildings and land in use and cared for. Proposed uses are suitable.
Parish Council response	No objection

MAIN ISSUES

Impact of the change of use from agricultural to equestrian
The need for residential accommodation related to the equestrian use

POLICY CONTEXT

Policy G1, G2, H29 and C22 of the adopted Salisbury District Local Plan, PPG7 (Countryside)

PLANNING CONSIDERATIONS

1. Impact of the change of use from agricultural to equestrian

PPG 7 states that Local Planning Authorities should adopt a positive approach in considering planning applications for horse-based development, which respect the rural environment. When assessing applications for the reuse or adaptation of a rural building, the primary consideration should be whether the nature and extent of the new uses are acceptable in planning terms. It should not normally be necessary to consider whether the building is no longer needed for its present purpose. Evidence that a building is not redundant is not by itself sufficient ground for refusal of permission for the new use.

Policy C22 sets out the criteria for changes of use of agricultural buildings. It is considered that Criteria (i), (iv) and (v) are not applicable to the application. Criteria (ii) requires the building to be capable of conversion without substantial reconstruction. The single storey buildings comprise breeze block construction with corrugate roofing. The buildings formerly housed pigs and are currently empty. The applicant has submitted an assessment of the structure of the buildings, and has concluded the majority of the principle buildings would be capable of conversion without substantial reconstruction.

Criteria (iii) requires the buildings to be appropriate to their setting, and capable of adaptation without detriment to its external appearance. As the application is for a change of use, there are no proposals to materially alter the external appearance of the buildings, which are established farm buildings within the landscape. It is therefore considered, in the light of the applicant's submission, that the proposals would satisfy Policy C22.

2. The need for residential accommodation related to the equestrian use

Policy H29 sets out the conditions under which an existing agricultural occupancy could be removed. However, the applicant is not seeking to remove the condition, but amend it to include the breeding, keeping or training of horses. The applicant has submitted a statement outlining the need for the equestrian workers to be accommodated on site. The reasons for this need relate to animal welfare and security reasons for people to be based on site where the animals are housed.

There is no evidence submitted in support of a particular equine business enterprise, as permission is sought to assist marketing purposes. The supporting statement which summarises the eleven month marketing exercise outlines a latent demand for equestrian uses from riding school /livery /breeding establishments, provide that planning permission and residential issues can be resolved.

Having considered the results of the marketing exercise, and the advice given in PPG7 in respect of equestrian related development, it is considered that the proposed amendment to the agricultural occupancy condition would be acceptable.

CONCLUSIONS

The applicant is seeking permission for a change of use from agricultural to equine use. Sufficient information has been submitted regarding the marketing of the site, and there has been no demand over the eleven month period for the farm buildings, which are currently empty. Marketing has exposed some latent demand for equine use, subject to planning approval and residential availability on site. The buildings would be capable of conversion from agricultural to equine use without substantial reconstruction and there would be no material change to the appearance of the buildings, in accordance with Policy C22.

The proposed amendment to the existing agricultural occupancy condition would enable equine workers to be available on site for animal safety and welfare reasons. The proposed amendment to include the suggested equestrian activity would therefore be acceptable.

RECOMMENDATION: **APPROVE** for the following reasons:

- (1) The proposed change of use from agricultural to equine use could be accommodated within the existing agricultural buildings without substantial reconstruction, and would not detrimentally affect the setting of the buildings within the Special Landscape Area, in accordance with Policy C22.
- (2) The applicant has sufficiently justified the need for the amendment to the existing agricultural occupancy condition to include the breeding, keeping or training of horses, in accordance with the guidance set out in PPG7 and Policy H29 of the adopted Salisbury District Local Plan.

AND 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 & Country Planning Act 1990.

- (2) The development shall be carried out in strict accordance with the drawing hereby approved, or with such other details as may be subsequently submitted to and approved in writing by the Local Planning Authority. (B05A)

Reason: For the avoidance of doubt

(3) The occupation of the dwelling shall be limited to a person solely or mainly or last employed in the locality in agriculture as defined in Section 336 of the Town & Country planning Act 1990 or in forestry, or in the breeding, keeping or training of horse (including any dependants of such a person residing with him) or a widow or widower of such a person.

Reason: The site of the dwelling is within an area where planning permission would not normally granted for development unrelated to the essential needs of agriculture or forestry.

NOTES:

S/2004/846	13/04/2004	08/06/2004 11:36:43	JSR GENETICS LTD
WINT			WOOLLEY & WALLIS
Easting: 425713.486130297	Northing: 131871.699207008		

PROPOSAL:	FULL APPLICATION -NEW VEHICULAR ACCESS FOR NO 2 + 3
LOCATION:	COTSWOLD FARM WEST DEAN ROAD WEST TYTHERLEY SALISBURY SP5 1QA

REASON FOR REPORT TO MEMBERS

Requested by Cllr C Devine.

SITE AND ITS SURROUNDINGS

The site comprises a residential curtilage within Cotswold Farm. There are two single storey bungalows on the site that are accessed from West Dean Road via the main farm complex to the north. The site is separate from the road by a dense belt of trees, hedges and undergrowth.

BACKGROUND

In the face of a declining agricultural economy, particularly the pig breeding sector, and in an apparent absence of demand from the local agricultural fraternity, the applicants have ceased operations at Cotswold Farm and are now seeking planning permission for alternative uses. The current application forms part of a suite of proposals that form a strategy for the future redevelopment of the farm:

- xiii) The use of land and buildings for B1, B2 and B8 uses (including new vehicular access)
- xiv) The use of land and buildings for equestrian purposes, including new vehicular access and amendment of condition 3 of 73/DY/199 at 4 Cotswold Farm, to include occupation by equestrian workers
- xv) The use of land and buildings for equestrian purposes and the amendment of Condition 1 or 70/FY/102 at 1 Cotswold Farm, to include occupation by equestrian workers
- xvi) The creation of a new vehicular access to serve Nos 2 and 3 Cotswold Farm.

An eleven month marketing exercise has resulted in several hundred enquiries, mainly for residential use. In cases where interested parties did not satisfy the agricultural occupancy conditions, they were advised of the situation and particulars were not issued. However, 350 sets of particulars were sent out and 48 viewings organised. No offers were received for any or all of the farm buildings at Cotswold farm, but there have been offers from interested parties who satisfy the occupancy condition for up to **three** of the dwellings, and negotiations are proceeding for the sale of Nos 2, 3 and 5 Cotswold Farm.

THE PROPOSAL

The proposal forms part (iv) of the above suite. Permission is sought to provide a new vehicular access for No 2 and 3 Cotswold Farm, which forms a small residential curtilage in the southern part of the site. As suggested above, these premises are currently under negotiation for sale with the existing agricultural occupancy condition attached.

The dwellings are single storey bungalows, separated from West Dean road by a belt of trees and hedges. The applicant is seeking to trim back the vegetation to create a verge, with appropriate sightlines for the new access. The access would form a cone in the vegetation, tapering from a width of about 8.7metres to approximately 5metres at the junction with the public highway. The verge would provide the necessary visibility splays.

RELEVANT PLANNING HISTORY

03/1540	New access for 3 Cotswold Farm onto public highway	WD	1/10/03
03/1541	New vehicular access at Cotswold farm buildings	WD	1/10/03
03/1559	Hedgerow removal notice at Cotswold farm buildings	R	01/09/03
03/1560	Removal of hedge for vehicular access at 3 Cotswold Farm	R	01/09/03

CONSULTATIONS

Wilts County Council Highways	No objection subject to conditions
Arboricultural Officer	No objection subject to conditions (See comments below)

REPRESENTATIONS

Site Notice displayed	20/5/04
Neighbour notification	19/4/04
Third Party response	One letter of support received from neighbouring farm. Would be pleased to see the buildings and land in use and cared for. Proposed uses are suitable.
Parish Council response	Response Awaited

MAIN ISSUES

Impact of loss of trees and hedgerows within the Special Landscape Area
Impact on Highway Safety

POLICY CONTEXT

G1, G2, C6 and C8.

PLANNING CONSIDERATIONS

Tree Preservation Order

The site is within the Special Landscape Area, and the trees and hedgerows are the subject of a Tree Preservation Order. Whilst a Hedgerow Protection Notice is also in place (S/03/1560), a planning approval would take precedent over the TPO and HPN allocations. The applicant is seeking to remove a cone of the growth, measuring approximately 5 metres, tapering to about 8.7 metres.

A previous application (S/93/1560) sought the removal of the hedgerow to provide vehicular access to No 3 Cotswold Farm. The proposed area (including the main body of growth) to be removed to provide visibility splays measured in excess of 100 metres, and the application was refused on the grounds of significant loss of the hedgerow.

The Hedgerow Regulations Review 1997 (DEFRA), which is a draft for consultation, suggests that the loss of hedgerows to provide an access of less than 9 metres in width would be exempt from the need for approval. The proposal would fall within this category. However, the site is also covered by a tree preservation order, which overrides the hedgerow regulations.

Following inspection of the site, the District Council's Arboricultural Officer considers that any works to provide the new access would have an impact on the root systems of adjacent trees. It would be prudent to attach a condition to any approval with a requirement for a "no-dig" construction method to be adopted. A method statement should be submitted to and approved by the local authority prior to construction, outlining this method. This would minimise any

harmful effects of both construction and future traffic movement on the root zone, which means that trees would be less likely to become a problem to road users in the future.

The proposed retention of a small triangular area of the hedge/tree line either side of the split access is considered to be impractical and unnecessary, and may result in a tree becoming a problem in the future. It is recommended that this feature is deleted from the scheme.

Highway Safety

The Highway Authority have raised no objections to the proposal, and the principle of creating a separate access for Nos 2 & 3 Cotswold Farm at a shared access position is acceptable. The proposed 2m x 120m splays are also acceptable, and must be maintained at all times.

Special Landscape Area

Policy C6 and C8 of the adopted SDLP seek to protect the countryside and Special Landscape Area from development that would result in the loss of trees, hedges and other features that contribute to the character of the landscape. The applicant has stated that whilst it would be necessary to cut back vegetation overhanging the public highway to provide the visibility splays and clear some undergrowth, it may not be necessary to remove any trees.

On balance, due to its limited size and area, and provided the necessary “no dig” construction method is applied, it is not considered that the proposal would materially affect the Special Landscape Area, and would not therefore be contrary to Policy C6 and C8. Under Policy C8, appropriate replacement tree and hedgerow planting would be sought as part of any planning permission.

CONCLUSION

On balance, subject to a suitable method statement being submitted prior to construction for approval by the Local Planning Authority, the proposals would not adversely affect the Special Landscape Area as the total area required by the access and associated visibility splays would not require a significant loss of the main body of trees and hedgerows. Appropriate replacement planting could form part of any planning permission.

RECOMMENDATION: **APPROVE** for the following reasons:

The proposals would, on balance, satisfy the requirements of Policy C6 and C8 (Landscape Conservation) as the creation of the proposed access and visibility splays would not require a significant area of the belt of trees and hedgerows adjacent to West Dean road.

AND 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 & Country Planning Act 1990.

2. No works or development shall take place until a schedule of proposed replacement tree and hedge planting (including details of size, species, times of planting and the positions of all trees) has been approved in writing by the Local Planning Authority. All tree planting shall be carried out in accordance with the schedule.

Reason: To enable the Local Planning Authority to secure a scheme of tree planting which relates satisfactorily to the characteristics and timing of the development, in the interests of landscape conservation.

3. Before development is commenced, a method statement outlining the method of construction of the access (using a “no dig” method) and demonstrating how existing root systems shall be protected, shall be submitted to and approved by the Local Planning Authority. The small triangular area in the centre of the proposed access, as shown on drawing No7, shall be deleted. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the existing root systems during and after construction.

4. Details of the means of access to the site shall be submitted to and approved in writing to the Local Planning Authority

Reason: In the interests of highway safety

5. Before the access hereby permitted is brought into use, the area between the nearside carriageway edge and lines drawn between a point 2.0 metres back from the carriageway edge along the centre line of the access shall be cleared of obstruction to visibility at and above a height of 500mm (to allow for grass and plant growth) above the nearside carriageway level and thereafter maintained free of obstruction at all times

Reason: In the interests of highway safety

6. The driveway between the edge of carriageway and any gates (or for a distance of 5 metres from the edge of the carriageway if gates are not proposed) shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with the details which have been submitted to and approved by the Local Planning Authority

Reason: In the interests of highway safety

7. Provision shall be made within the site for the disposal of surface water so as not to prevent its discharge onto the highway, details of which shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of highway safety.

NOTES:

S/2004/893	19/04/2004	14/06/2004	K WELFARE
LAVE			MYDDLETON & MAJOR
Easting: 414887.644625992	Northing: 133373.638070226		

PROPOSAL:	CHANGE OF USE -FROM B1/B8 TO B2 (GENERAL INDUSTRIAL)
LOCATION:	UNIT 9 PORTWAY BUSINESS CENTRE CASTLEGATE BUSINESS PARK OLD SARUM SALISBURY SP4 6QX

REASON FOR REPORT TO MEMBERS

Contrary to PC's recommendation

SITE AND ITS SURROUNDINGS

A small complex of business units with access off Portway, the application is for the end unit of a group of five at the head of the access cul-de sac, immediately adjacent to the main road.

THE PROPOSAL

It is proposed to convert one unit from B1 (office and light industrial)/B8 (storage) to a General industrial use (B2). The proposal is for the unit to be used for small component manufacture and machine tools. This will involve turning and milling much of which could be classed as light engineering.

PLANNING HISTORY

See file

CONSULTATIONS

WCC Highways - no objection
Environmental Health Officer - not yet received

REPRESENTATIONS

Advertisement No
Site Notice displayed Yes expiry date 27/05/04
Departure No
Neighbour notification Yes

Third Party response 2 letters of objection on the following grounds: -
Change of character of business area
Noise and disturbance
Soundproofing adequate for approved B1 uses not general industrial use
Noise disturbance in summer when roller doors open

Parish Council response Yes object Concerns over 'industrial use' across the road from planned residential development

MAIN ISSUES

Impact on character of area
Noise and disturbance

POLICY CONTEXT

G2 and E16 of Salisbury District Local Plan

PLANNING CONSIDERATIONS

The site is a modern group of industrial units with parking immediately in front. The units are characterised by a small office area with the main operations being in the remainder of the unit, which is accessed by an industrial roller door, and the character of the area is therefore quiet and tidy. The units within this part of the Portway Business Centre are industrial and warehousing rather than office and therefore the processes such as printing can create some noise disturbance to neighbours, particularly in the summer when the roller doors are open. However, the units are immediately adjacent to the main Portway road and there is considerable traffic noise in the vicinity.

The applicant wishes to set up a small business making tools and small components. Much of this business could be classified as light industrial; however, some of the processes involved in the creation of the small components are classified as general industrial. The business involves machines and activities, which with the existing soundproofing are considered to be unlikely to be heard outside the building.

The applicant is willing to accept a personal condition limiting his use of the premises to his proposed tool making and small component business and the landlords also would wish to revert to a B1/B8 use when the current applicant vacates the premises.

As the majority of the processes are not general industrial and the unit is at the head of the cul-de-sac and closest to the Portway road, it is considered that subject to the comments of Environmental Health officer that the proposed use is unlikely to create noise disturbance to the immediate neighbours on the Business Centre.

CONCLUSIONS - REASONS FOR APPROVAL

As the majority of the engineering processes involved in tool making and small component manufacture could be classified as light industrial, it is considered that subject to the comments of Environmental Health officer that the proposed use, subject to conditions is acceptable, in accordance with Salisbury District Council Local Plan policies.

RECOMMENDATION: that subject to the comments of Environmental Health officer making no material difference to the 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: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. The use hereby permitted shall be carried on only by Mr Welfare and shall be for a limited period being the period of five years from the date of this decision, or the period during which the premises are occupied by Mr Welfare whichever is the shorter. (V07A)

Reason: In the interests of amenity, to secure the cessation of a use which can only be justified on the basis of a special personal need by the applicant.

3. Before commencement of the development INSERT (use) hereby permitted there shall be submitted to and approved by the Local Planning Authority a scheme for the insulation against noise emissions of any INSERT (buildings/extractor fans/ compressor motors/sound amplification systems/and all similar 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 INSERT (opens for trading). (M22A)

Reason: In the interests of amenity.

4. No development shall take place until a scheme/schemes for the control of fumes from extractor fans and equipment INSERT (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 INSERT that scheme/those schemes have been implemented in accordance with the approved details. (M23A)

Reason: In the interests of amenity.

INFORMATIVE:

Policy Purpose

G2 General Criteria for Development

E16 Land used for Employment

Of the Adopted Salisbury District Local Plan.

NOTES:

S/2004/924	28/04/2004	23/06/2004	CELINE & JONATHAN MILLS
DOWN			
Easting: 417368.901119858	Northing: 124104.611444771		

PROPOSAL:	FULL APPLICATION -EXTENSION TO RESIDENTIAL CURTILAGE AND ACCESS ARRANGEMENTS
LOCATION:	3 CHURCH LANE CHARLTON ALL SAINTS SALISBURY SP5 4HE

REASON FOR REPORT TO MEMBERS

Employee application and contrary to PC comments in part.

SITE AND ITS SURROUNDINGS

3 Church Lane, Charlton All Saints, Downton

The site forms part of a hamlet consisting of a row of 9 dwellings, located between the A338 and the main body of Charlton-All-Saints.

THE PROPOSAL

It is proposed to incorporate an open concrete area to the front of the house into a more formal curtilage by erecting a fence around it and gravelling it over. This will bring the access outwards, closer to the road. Upon visiting the site, it was discovered that the application is in fact retrospective.

PLANNING HISTORY

None relevant

CONSULTATIONS

Highways Officer

Notes that there are elements of the application that are not in accordance with pre-application discussions. Specifically this relates to, a) the fence at the south-west corner of the site which is higher than 1m due to the trellis, and b) the access being surfaced in loose gravel, which is strongly opposed to. However, conditions are suggested which can resolve these points.

REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes
Departure	No
Neighbour notification	Yes
Third Party response	No
Parish Council response	Approval should be subject to a turning area being provided on site due to highway safety issues

MAIN ISSUES

Impact on highways safety & visual amenity

POLICY CONTEXT

Adopted SDLP, Policies:

G2 (General Development Guidance)

C6 (Development within Special Landscape Areas)

PLANNING CONSIDERATIONS

Highways safety

The new access arrangements have already been undertaken, but this aspect of the application is currently unacceptable for vicinity reasons. However this can be resolved by inserting appropriate conditions, as recommended by the Highways Officer. Whilst the Parish Council comments are noted, WCC Highways has not objected to the lack of provision of a turning area.

Visual amenity

In terms of appearance, the proposal is in keeping with the area, similar to the access arrangements at some of the other neighbouring semi-detached dwellings. The materials and design (wooden boarded fencing) are considered appropriate within the Special Landscape Area. The endurance of this land with the residential curtilage and does not raise any adverse visual issues.

CONCLUSION

It is considered that the application is acceptable in principal, provided that the highway requirements are adhered to. Officers therefore recommend approval subject to conditions.

RECOMMENDATION: **APPROVE:** for the following reasons

The proposal conforms with policies G2, C6 of the adopted Salisbury District Local Plan

And 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.

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

2. Any gates to close the access should be made to open inwards (away from the highway) only.

Reason: In the interests of highway safety.

3. The proposed 1.0m high close boarded fence at the south-west corner of the site frontage is in fact higher than 1.0m due to the trellis which caps the fence. Within one month of the date of this permission, the trellis should be removed from this fence for the first 2.0m of its length and retained in this condition thereafter.

Reason: In the interests of highway safety.

4. Within one month of this permission the access area (within the visibility splay) shall be surfaced in a material other than loose stone or gravel. Details of the surface to be used shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

5. Any gates to close the access should be made to open inwards (away from the highway) only.

Reason: In the interest of highway safety.

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

Policy G2	General Development Guidance
Policy C6	Development within Special Landscape Areas

NOTES:

S/2004/955	27/04/2004	22/06/2004	MR P MOSS & MS T THORNTON
DOWN			DAVID CUTLER ASSOCIATES
Easting: 417039.5	Northings: 121281.8		

PROPOSAL:	FULL APPLICATION -TWO STOREY SIDE EXTENSION
LOCATION:	8 BARNABY CLOSE DOWNTON SALISBURY SP5 3NX

REASON FOR REPORT TO MEMBERS

Councillor Leo refers this item to be considered by committee because of the finely balanced issues and neighbour concerns.

SITE AND ITS SURROUNDINGS

8 Barnaby Close, Downton

Barnaby Close is an open plan estate consisting of two rows of terraced properties, laid out at right angles to one another, and separated by a 11.5m gap. No.8 is on the end of the terrace which sides on to the adjacent terraces. Separating the terraces is the side garden of No.8 which is to be built on, a pathway, and the small front gardens of the adjacent terraces.

THE PROPOSAL

It is proposed to add a side extension to this end of terrace dwelling, following the existing building line and ridge height, and thereby reducing the gap to the adjacent terraces to 8.5m.

PLANNING HISTORY

None relevant

CONSULTATIONS***Parish Council***

Object on grounds of overdevelopment and loss of amenity to facing dwellings

REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes
Departure	No
Neighbour notification	Yes
Parish Council response and impact on neighbours.	Objection to the proposal, due to overdevelopment of the site
Third Party Representations	Three letters of objection from the dwellings nearest to the extension. Reasons put forward include loss of light (also loss of view and affect on property value).

MAIN ISSUES

Impact on amenities and character of the area

POLICY CONTEXT

Adopted SDLP, Policies:
G2 (General Development Guidance)
D3 (Extensions)

PLANNING CONSIDERATIONS

Impact on character of area

The extension will not be subservient to the original dwelling. However, in this case it would be preferable for the extension to blend in with the rest of the terrace, thereby making it difficult to recognize that an extension has actually been erected. It is not considered that the extension constitutes overdevelopment of the site since there is adequate space to the side of the dwelling, with the main rear garden preserved.

Impact on neighbours

This is the contentious issue, with objections from the parish and three neighbours. Loss of view and property value are not material considerations, so any judgement shall be based upon loss of amenity.

No.5 is most likely to be affected, since it completely faces onto the side of No.8. The dwellings either side, however (Nos. 4 and 6) only partially face onto the side of No.8, and any loss of amenity to these properties is considered less significant. The main issue therefore, is whether bringing the wall of No.8 three metres closer to the front of No.5 will materially affect the amenity that is presently enjoyed.

Regarding any potential overshadowing it is evident that the existing block of terraces already blocks out some of the sun light from the south west and west. Therefore the extension is unlikely to create significantly more overshadowing, and a gap of 8.5m is considered adequate to allow a sufficient amount of light to enter the front rooms.

It is apparent that the extension and bringing nearer of the wall will be imposing upon the facing dwelling. However, since the distance is only to be reduced by 3m, and an 8.5m gap remains, this is not considered to be unacceptably overbearing. It is suggested that the facing wall of the extension is rendered and painted white in order to give a greater sense of space and light.

CONCLUSION – REASON FOR APPROVAL

This is a finely balanced judgement. The proposal would result in a two storey extension located closer to the front elevation and living rooms of adjacent dwellings. However, in the opinion of officers, the impacts of the extension in terms of loss of amenity to adjacent dwelling would not be so harmful as to warrant refusal. The overall design is considered unacceptable.

RECOMMENDATION: **APPROVE:** for the following reasons

The proposal conforms with policies G2, D3 of the adopted Salisbury District Local Plan

And 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. 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.

3. Before the extension is first occupied the east elevation of the extension shall be rendered and painted white.

Reason: In the interests of amenity and to minimise visual intrusion.

4. There shall be no windows inserted on the east elevation of the extension hereby permitted.

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

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

Policy G2	General Development Guidance
Policy D3	Extensions

NOTES: