

LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING COMMITTEE
WESTERN AREA – 02/12/04

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

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

| ITEM NO | APPLICATION NO OFFICER | LOCATION | REC | PARISH / WARD | PAGE NOS | WARD & COUN-CILLORS | NOTES |
|-------------|---|--|------|---------------|----------|---|-------|
| 1 | S / 2004 / 2013 Mr O Marigold | CORNHILL ESTATES LTD & NEARBY STORES LTD THE WALTON BUILDING & THE LEAPING FROG THE SQUARE MERE | REF | MERE | 2-6 | WESTERN & MERE Councillor Mr Jeans Councillor Mrs Spencer | |
| 2 | S / 2004 / 2014 Mr O Marigold | CORNHILL ESTATES LTD & NEARBY STORES LTD THE WALTON BUILDING & THE LEAPING FROG THE SQUARE MERE | REF | MERE | 7-8 | WESTERN & MERE Councillor Mr Jeans Councillor Mrs Spencer | |
| 3 SV | S / 2004 / 1901 Mr A Madge | HAVENBRAE LTD OLD SHIP HOTEL CASTLE STREET MERE | A106 | MERE | 9-15 | WESTERN & MERE Councillor Mr Jeans Councillor Mrs Spencer | |

| | | | | | | | |
|----------|-----------|---|---|------|------|-------|--|
| 4 | SV | S / 2004 / 1902 Mr A Madge | HAVENBRAE LIMITED OLD SHIP HOTEL CASTLE STREET MERE | APPC | MERE | 16-19 | WESTERN & MERE Councillor Mr Jeans Councillor Mrs Spencer |
| 5 | SV | S / 2004 / 2029 Mr A Madge | MR D GRAYSON CASTLE HILL GARAGE CASTLE STREET MERE | A106 | MERE | 20-27 | WESTERN & MERE Councillor Mr Jeans Councillor Mrs Spencer |
| 6 | SV | S / 2004 / 2030 Mr A Madge | MR D GRAYSON CASTLE HILL GARAGE CASTLE STREET MERE | APPC | MERE | 28-30 | WESTERN & MERE Councillor Mr Jeans Councillor Mrs Spencer |
| 7 | | S / 2004 / 2143 Mrs J Howles | ABS DEVELOPMENTS ALLOTMENT GARDENS CHURCH STREET TISBURY | A106 | TISB | 31-37 | TISBURY & FOVANT Councillor Mrs Green Councillor Mr Hooper |
| 8 | SV | S / 2004 / 2163 Mr O Marigold | L DIMMER ESQ LONG CLOSE HIGH LANE BROAD CHALKE | A106 | BROA | 38-41 | CHALKE VALLEY Councillor Mr Draper |
| 9 | | S / 2004 / 2427 Mr D Prince | SARA WILLAN BRIDGES TEFFONT EVIAS | NOBJ | TEFF | 42 | FONTHILL & NADDER Councillor Mrs Willan |

AGENDA ITEM: NUSWELL HOUSE, HIGHER COOMBE DONHEAD ST MARY

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 Contact No 1
Mr O Marigold 01722 434293

| | | | |
|------------------------------|-------------------------------|------------|--|
| S/2004/2013 | 17/09/2004 | 12/11/2004 | CORNHILL ESTATES LTD & NEARBY STORES LTD |
| MERE | MER | II | |
| Easting: 381248.505078286 | Northing: 132386.270591855 | | |

| | |
|-----------|--|
| PROPOSAL: | FULL APPLICATION -SHOP REFURBISHMENT AND CONVERSION OF EXISTING BUILDING TO FORM SEVEN DWELLINGS |
| LOCATION: | THE WALTON BUILDING & THE LEAPING FROG THE SQUARE MERE WARMINSTER BA126DE |

REASON FOR REPORT TO MEMBERS

At Councillor Jeans's request for reason of local interest

SITE AND ITS SURROUNDINGS

The site consists of The Walton Building and The Leaping Frog on The Square in Mere. The site lies within the Conservation Area and the buildings are Grade II listed. The Walton Building is currently used as a retail outlet at ground floor, while The Leaping Frog is currently a children's nursery. The upper floors are used for ancillary purposes to the ground floor uses.

THE PROPOSAL

The application proposes the conversion of the upper floors of both buildings into seven flats. The Walton Building would have four flats (3 x two bed and 1 x one bed), while the Leaping Frog would have three flats (2 x two bed and 1 x one bed).

PLANNING HISTORY

Planning permission has previously been approved for the conversion of the building behind The Walton Building to form eight flats, together with the erection of a three-bedroom dwelling (reference S/2003/2457). Permission has also been approved for the conversion of the Welcome House next door into 5 flats (S/1997/183). Both these developments utilise the yard area behind the building for car parking and are conditioned accordingly.

CONSULTATIONS

Highway Authority – On the basis that the required on site parking cannot be achieved, recommend that this application be refused on the grounds that the proposed conversion, where the parking facilities would be inadequate, would be likely to give rise to on-street parking of additional cars attracted to the site and thereby interrupt the free flow of traffic to the danger of road users in an area which is often fully utilised with on-street parking.

Environmental Health – no observations to make in connection with this application.

REPRESENTATIONS

| | | |
|------------------------|-----|-------------------------------------|
| Advertisement | Yes | expired 28/10/04 |
| Site Notice displayed | Yes | expired 28/10/04 |
| Departure | No | |
| Neighbour notification | Yes | expired 19/10/04 |
| Neighbour response | Yes | 5 letters of objection relating to: |

inadequate car parking serving the development, necessary because of the poor public transport serving Mere and cumulative impact from new piecemeal development in Mere.

Impact on highway safety

loss of fruit tree

overlooking

overdevelopment

loss of ancillary facilities/delivery area for shops

Parish Council response Yes Object on grounds of:

lack of car parking, for future occupiers and shopkeeper, particularly given recently approved residential uses. Impact on viability of Mere.

Access, particularly greater use of single carriageway between Lloyds Bank and Spar shop, with resultant congestion to The Square.

Sustainability, on the ground that without parking, washroom facilities or delivery access the long term sustainability of the retail units.

Overdevelopment

MAIN ISSUES

Impact of proposals in terms of car and cycle parking and access

Impact on existing retail units

Impact on living conditions of existing and future occupiers

Impact on listed building and character and appearance of Conservation Area

Recreational Open Space

POLICY CONTEXT

G1, G2, H16, CN3, CN4, CN8, CN10, TR11, TR14, E16, PS3

PLANNING CONSIDERATIONS

Impact of the proposals in terms of car parking and access

Local concern has been raised with regard to the inadequacy of car parking proposed for this site, particularly in combination with recent conversion schemes in the immediate vicinity. In response, the applicants have revised the car parking layout, to one which...

In reaching a decision on this application with regard to parking spaces, particular regard must be given to the advice in PPG13, which states that (amongst other things) Local Authority's should:

"...not require developers to provide more spaces than they themselves wish, other than in exceptional circumstances which might include for example where there are significant

implications for road safety which cannot be resolved through the introduction or enforcement of on-street parking controls”

Regard must also be given to the advice in the Local Plan. The appendices make clear that parking standards are a maximum – ie permission cannot be refused for too few spaces, only for too many. This is in accordance with the Government’s desire to reduce dependence on the private car. Potential occupiers will be aware of the car parking problems in Mere and those with cars are unlikely to occupy flats where they know that little or no car parking is available. Additional parking spaces will only encourage further car use (and would also result in greater use of the access).

That said, the standards have to be applied having regard to the accessibility of site to alternative modes of transport, and Mere is poorly served by public transport. Overall, a balance has to be struck between the desire to limit car use, and the fact that there will be a demand for car parking until public transport alternatives improve. Concerns have also been expressed about civil agreements relating to car parking, although these private agreements have no bearing on public interest planning considerations.

Taking account of the cumulative development being undertaken in the immediate vicinity, the proposals make provision for less than one parking space per flat, and no provision for visitors to this particular development. In striking a balance between sustainability and the need for some car parking, it is considered that one space per dwelling is an appropriate and pragmatic level – such a view is supported by the Highway Authority. As these proposals do not achieve this, it is considered that the remaining vehicles would be likely to park in locations that could result in congestion and highway danger, contrary to policy G2 and TR11. The proposals also may inadequate provision for cycle spaces, contrary to policy TR14.

With regard to the additional use of the narrow road between Lloyds Bank and The Walton Building, this road already serves established residential areas and the Highway Authority have not objected to the additional use of this road. A refusal on this basis could not be sustained at appeal.

Impact on existing retail units

The Parish Council and some local residents have raised a concern that a potential result of the proposed development would be to make the existing retail units unviable, because they would have no delivery space, ancillary facilities or car parking.

However, it is considered that to refuse permission now on the possible potential impact on the retail units would be difficult to defend successfully at appeal. There is General government support (in PPG6) to encourage the re-use of areas above shops, in order to support the efficient use of land, to add to the housing stock in built up areas and to encourage vibrancy in town centres particularly at night.

Not all retail units require stock-keeping areas and many shops do not have their own delivery yards. The Building Regulations cover adequate facilities such as toilets. The applicants have made clear that both the ground floor units would remain as retail units, and that refurbishments would create a more modern shop.

With regard to policies PS3 and E16 (loss of employment or community facilities), as the application does not propose loss of either the retail unit or the community facility provided by the Leaping Frog a refusal under these policies could not be sustained at appeal.

Impact on the living conditions of existing and future occupiers

The application, being a conversion scheme, largely makes use of existing windows. Additional windows are to be inserted at first floor level on the western elevation of the Walton Building (facing towards the windows above Lloyds Bank) and on the eastern elevation (facing towards the Leaping Frog). Additional windows would also be inserted at second floor level of the rear part of the Leaping frog building, facing east. Consideration has been given to the impact on the adjoining uses and, on balance, is considered to be acceptable in terms of overlooking, particularly as this is a built up area where a limited degree of intervisibility is to be accepted.

A concern has also been raised that the removal of a fruit tree would result in additional overlooking. Fruit trees are rarely considered worthy of protecting by Tree Preservation Orders and this particular tree is shown to be removed in order to provide additional car parking. There would be sufficient distance between the converted warehouse building and its neighbours to the east for undue overlooking to be avoided.

Impact on Listed Building and Conservation Area

In terms of the Conservation Area, the external appearance of the building would remain similar to its current appearance, with only the additional window on the eastern elevation being apparent. Although there would be additional vehicles parked to the rear of the building, it is not considered that this would detract from the character and appearance of the Conservation Area.

The changes to the listed building's integrity are also considered to be acceptable. The Conservation Officer has not objected to the proposal, provided that adequate details are submitted of the materials and doors, and supports the retention of existing windows. However, the layout as submitted would be unlikely to receive Building Regulations consent because of fire safety and ventilation issues. Therefore, without sufficient information to demonstrate that the proposals could be achieved acceptably without harming the listed building, it is recommended that the application be refused.

Recreational Open Space

The applicants have submitted an appropriate unilateral agreement in order that adequate provision for recreational open space is made.

CONCLUSION

Any impact on existing retail units would not be sufficient to refuse planning permission and the impact on living conditions of existing and future occupiers is considered acceptable, as is the impact on listed building and character and appearance of Conservation Area. Adequate provision is made for recreational open space. However, as the proposal would make inadequate provision for car parking, it would warrant refusal.

RECOMMENDATION: REFUSE: for the following reasons

(1) Taking account of the cumulative development being undertaken in the immediate vicinity, the proposals make provision for less than one parking space per flat, and no provision for visitors to this development. In striking a balance between sustainability and the need for some car parking, it is considered that one space per dwelling is an appropriate and pragmatic level. As these proposals do not achieve this, it is considered that the remaining vehicles would be likely to park in locations that could result in congestion and highway danger. The proposals would also make inadequate provision for cycle spaces. The proposals would therefore fail to comply with replacement Salisbury District Local Plan policies G2, TR14 and TR11.

(2) It has not been demonstrated that the proposals could be achieved acceptably in terms of its impact on the listed buildings and character and appearance of Conservation Area. It would therefore comply with replacement Salisbury District Local Plan policies CN3, CN4 and CN8

INFORMATIVES: - POLICY

This decision has been in accordance with the following policy/policies of the Adopted Salisbury District Local Plan:

| | |
|------|------------------------------|
| G2 | General Development Criteria |
| TR11 | Car Parking standards |
| TR14 | Cycle spaces |
| H16 | Housing Policy Boundary |
| CN3 | Listed Buildings |
| CN4 | Conservation Areas |

CN8 Conservation Areas
E16 Employment land
PS3 Community facilities

NOTES:

| | | | |
|------------------------------|-------------------------------|------------|---|
| S/2004/2014 | 17/09/2004 | 12/11/2004 | CORNHILL ESTATES LTD & NEARBY STORES LTD |
| MERE | MER | II | |
| Easting: 381248.505078286 | Northing: 132386.270591855 | | |

| | |
|-----------|---|
| PROPOSAL: | LISTED BLDG (WKS) -SHOP REFURBISHMENT AND CONVERSION OF EXISTING BUILDING TO FORM SEVEN DWELLINGS |
| LOCATION: | THE WALTON BUILDING & THE LEAPING FROG THE SQUARE MERE WARMINSTER BA126DE |

REASON FOR REPORT TO MEMBERS

At Councillor Jeans's request for reason of local interest

SITE AND ITS SURROUNDINGS

The site consists of The Walton Building and The Leaping Frog on The Square in Mere. The site lies within the Conservation Area and the buildings are Grade II listed. The Walton Building is currently used as a retail outlet at ground floor, while The Leaping Frog is currently a children's nursery. The upper floors are used for ancillary purposes to the ground floor uses.

THE PROPOSAL

The application proposes the conversion of the upper floors of both buildings into seven flats. The Walton Building would have four flats (3 x two bed and 1 x one bed), while the Leaping Frog would have three flats (2 x two bed and 1 x one bed).

PLANNING HISTORY

Planning permission has previously been approved for the conversion of the building behind The Walton Building to form eight flats, together with the erection of a three-bedroom dwelling (reference S/2003/2457). Permission has also been approved for the conversion of the Welcome House next door into 5 flats (S/1997/183). Both these developments utilise the yard area behind the building for car parking.

CONSULTATIONS

Highway Authority – Until it is clarified that Welcome House can retain the five spaces allocated to it (by application S/1997/183), the proposal would result in insufficient parking space. If this is clarified, the Highway Authority would not sustain a highway safety objection to the proposal.

Environmental Health – no observations to make in connection with this application.

REPRESENTATIONS

| | | |
|------------------------|-----|-------------------------------------|
| Advertisement | Yes | expired 28/10/04 |
| Site Notice displayed | Yes | expired 28/10/04 |
| Departure | No | |
| Neighbour notification | Yes | expired 19/10/04 |
| Neighbour response | Yes | 5 letters of objection relating to: |

inadequate car parking serving the development, necessary because of the poor public transport serving Mere and cumulative impact from new piecemeal development in Mere.
Impact on highway safety
loss of fruit tree

overlooking
overdevelopment
loss of ancillary facilities/delivery area for shops

Parish Council response Yes Object on grounds of:

lack of car parking, for future occupiers and shopkeeper, particularly given recently approved residential uses. Impact on viability of Mere.
Access, particularly greater use of single carriageway between Lloyds Bank and Spar shop, with resultant congestion to The Square.
Sustainability, on the ground that without parking, washroom facilities or delivery access the long term sustainability of the retail units.
Overdevelopment

MAIN ISSUES

Impact on listed building and character and appearance of Conservation Area

POLICY CONTEXT

CN3, CN4, CN8, CN10

PLANNING CONSIDERATIONS

Impact on Listed Building and Conservation Area

In terms of the Conservation Area, the external appearance of the building would remain similar to its current appearance, with only the additional window on the eastern elevation being apparent. Although there would be additional vehicles parked to the rear of the building, it is not considered that this would detract from the character and appearance of the Conservation Area.

The changes to the listed building's integrity as shown are also considered to be acceptable. The Conservation Officer has not objected to the proposal, provided that adequate details are submitted of the materials and doors, and supports the retention of existing windows. However, the layout as submitted would be unlikely to receive Building Regulations consent because of fire safety and ventilation issues. Therefore, without sufficient information to demonstrate that the proposals could be achieved acceptably without harming the listed building, it is recommended that the application be refused.

CONCLUSION

It has not been demonstrated that the proposals could be achieved acceptably in terms of its impact on the listed buildings and character and appearance of Conservation Area.

RECOMMENDATION: REFUSE: for the following reasons

(1) Insufficient information has been supplied to demonstrate to the satisfaction of the Local Planning Authority that the proposals could be achieved acceptably in terms of its impact on the listed buildings and character and appearance of Conservation Area. It would therefore not comply with replacement Salisbury District Local Plan policies CN3, CN4, CN8, CN10

INFORMATIVES: - POLICY

This decision has been in accordance with the following policy/policies of the Adopted Salisbury District Local Plan:

CN3 - Listed Buildings
CN4 – Listed Buildings
CN8 – Conservation Areas
CN10 -Conservation Areas

NOTES:

one-bedroom flats and then build a terrace of three, two bedroom houses at the rear. Seven parking spaces are to be provided for the new properties, one for each of the new dwellings. The new dwellings are to be constructed of stone with a pitched roof and will front Castle Hill lane although the main vehicle access will be through the Hotel car park. They are provided with gardens to the rear. The flats will be converted from the existing hotel building although the existing somewhat unsympathetic flat roof extensions will be demolished and the building then converted to four, one-bedroom flats. Long windows are to be placed in the exterior, replacing the present smaller windows.

PLANNING HISTORY

Most recently

04/1778 Proposed Internal works Granted 04

CONSULTATIONS

WCC Highways - No highway objection in principle but would recommend the deletion of parking spaces numbered 5, 21 and 22 for secure bicycle parking provision. Also suggest the setting back of the wall at the Manor road/Castle Hill lane junction. Additionally requests the deletion of the steps leading up to the site from Castle Hill lane.

WCC Library/ Museum - Recommends a condition requiring that no development take place until the applicant or their successors in title have secured a programme of archaeological works.

Wessex Water Authority- - The development is located within a foul sewered area and it will be necessary for the developer to agree a point of connection onto the system for the satisfactory disposal of foul flows. There are water mains within the vicinity of the proposal. Again connection can be agreed at the design stage.

REPRESENTATIONS

| | |
|------------------------|-------------------------------------|
| Advertisement | Yes Expired 14/10/04 |
| Site Notice displayed | Yes Expired 14/10/04 |
| Departure | No |
| Neighbour notification | Yes – Expired 5/10/04 |
| Third Party responses | Yes - raising the following issues; |

When open spaces are so few in the centre of Mere why restrict parking even further? Just as important why almost eliminate a family play area much used and enjoyed in good weather? Are either of these restrictions implicit in this application of benefit.

In addition a further letter of objection, objecting to the three sites, The Walton building, The Old ship Hotel and Castle Street garage. The letter expresses concerns regarding the parking problems that may occur as a result of the three sites taken together and the potential for traffic problems at the already hazardous junction of Manor Road, firstly with North St and immediately after with Castle St and The Square. Mere lies in a rural area poorly served by public transport. The use of a car is today essential to most households and often 2 or 3 cars are necessary depending on employment. Mere has changed dramatically in the last decade newcomers tend to have a car or several with a family and tend to receive more visitors by car. This has put pressure on the limited parking availability. Developments in surrounding villages have also increased car-parking pressure. Recent developments of bed and breakfast premises in Castle Street are helpful to the tourist trade but without off street parking these add to parking issues in the area. The proposed development of the Castle hill garage site appears to leave little if any space for visitor parking who will presumably be expected to use Castle St or it's public car park- already inadequate. The proposed developments taken together will lead to an unacceptable degree of over development in comparison to the parking facilities proposed. Surely it is time to take an overview of parking within Mere town centre- before permitting further piecemeal development of available land or premises.

Parish Council response Yes – express the following concerns;-

Adversely affecting the viability of hotel

The Old Ship Hotel is an ancient coaching inn and a building of significant importance to Mere's heritage. Its continuation as a hotel is of paramount importance to Mere's economy. It currently provides valuable facilities for functions- auctions, wedding receptions, birthday parties, funeral gatherings etc. The Parish Council consider that this development would ultimately lead to the demise of the hotel for the following reasons:

a) Loss of amenity for hotel customers

The application shows parking spaces (numbered 13 – 19) in the area currently used as a courtyard garden/seating area for hotel customers. Some years ago this area used to be used as a car parking area and the hotel management decreed that this parking area was needed as an outside seating and courtyard garden area for the viability of the hotel. Members are aware that this area is often used by hotel customers for eating/drinking outside. If car parking were to be provided in this area then it would result in the loss of an important asset to the current hotel business.

b) Loss of Car Parking

This application would result in the loss of a significant area of car parking which currently serves the hotel and public house business, currently insufficient parking within the existing car park and as a result cars park elsewhere in Mere usually along Castle street and around The Square which causes on street car parking problems. The proposed parking is inadequate. Car parking spaces 10 and 13 conflict with fire escapes and 11 and 12 are directly outside the kitchen.

C) Amenity of occupiers of new dwellings

Potential occupants would be subjected to the noise and disturbance from users of the car park late in the evening and also from any musical events held in the public house. The main function areas of the hotel are situated towards the rear of the building, which is nearest to the proposed developments. Should activities in the hotel constitute an environmental health nuisance for new occupiers then the district council will need to take action under environmental health legislation.

Development of Site

Concern is expressed about pedestrian access onto Castle Hill Lane, which could be hazardous. The means of access to serve the proposed development is through the existing car park. The access under the coaching inn archway could cause conflict with pedestrians coming into or out of the hotel. The second access is approached by a stretch of single lane carriageway along manor road. This is hazardous, as drivers cannot see what is coming down Manor road from the square.

The accompanying car parking assessment states that there is a requirement for 7 car parking spaces for the residential development. However this is not practical in a rural area such as Mere where public transport facilities are less than adequate and the average number of cars per households is 2. The parish council therefore feels that there would be a conflict between users of the new dwellings and users of the hotel/public house.

MAIN ISSUES

Car parking/ Highway issues
Impact on the listed building
Impact on the viability of the hotel/public house
Other considerations

POLICY CONTEXT

Adopted Salisbury Local Plan policies G1 and G2 (General criteria for development), D1 Extensive development, D2 Infill development E16 General employment CN3, CN4, CN5 Listed buildings. CN8, CN9 Conservation areas TR11 Car Parking TR13 extension of footways, TR14 Secure bicycle parking spaces. R2 Open Space provision

PLANNING CONSIDERATIONS

Car Parking/Highway Issues

Other than times when special functions are being held at the Ship Hotel the current car park is often mainly empty. On the two occasions this officer visited the site on a weekday morning and a Saturday morning the car park was less than a quarter full. The car park being relatively empty for most of the day is currently underutilised and this large area of open land in the centre of Mere is an inefficient use of land, which the proposal seeks to address. The proposal provides seven dedicated off street car parking spaces for the seven new dwellings that are to be provided. This councils local plan policies does not have a minimum standard for parking spaces and as such it is considered that the parking space for each of the new dwellings is acceptable to serve this application proposal. Wiltshire County Council has raised no objections to this level of car parking for the new dwellings.

This leaves 23 parking spaces for the hotel and public house, which given that there are only 9 letting rooms now available within the hotel is considered acceptable. Although objections have been raised that some of these parking spaces are in an area that was previously used as a beer garden sitting out area, this is not something that it would be reasonable or practical in planning terms to insist is kept. The area is currently all tarmaced and the parking spaces being introduced into that area are unlikely to have a significant effect on the appearance of the area. The highways department have raised no objections to the level of car parking proposed, which complies with local plan policies.

Access to the site is poor, however it is not considered that there will be any significantly greater effect on the highway network from this development than is currently the case. The majority of the traffic will access the site off Manor Road to the rear; this is a quiet road where the level of traffic from seven additional vehicles is unlikely to have a significant impact on the highway network. Whilst sight lines to the south are restricted, the access is no worse than at present and again there are no highway objections to the access from this direction. Similarly access is available underneath the existing hotel building in a similar way to at present.

In view of all of this it is considered it would be unreasonable to refuse this planning application on highways grounds given that Wiltshire County Councils highway department have raised no objections to the development and the parking provided meets the local plan standards.

Impact on Listed building

English Heritage have raised no objections to this development and given the distance between the rear of the listed building and the new properties it is considered that the development will not have an adverse impact on the character or appearance of the listed building. The new properties are to be built of local stone similar to that of surrounding buildings and the open barn structure for the cars associated with the new dwellings is in keeping with the style and appearance of other buildings in the area. The changes to the existing ancillary hotel building can be seen to be positive in removing some relatively ugly ancillary extensions to the building, which are flat roofed, and generally improving the appearance of the building.

Overall it is considered that this scheme will complement the existing hotel on site in visual terms and facilitate the removal of some poor existing outbuildings and additional extensions, which will improve the overall appearance of the site.

Impact on the viability of the hotel public house

There has been some concern raised that by building within the main car park for this Hotel and public house this will affect the viability of the main function of the site in reducing the amount of car parking available to the hotel and limiting any outdoor space that is available for outside seating and eating. As stated above it is not considered essential to the survival of this hotel/public house to have an outdoor seating area. Whilst such a facility would undoubtedly add to the attractiveness of the facility it is not something that can be insisted on in planning terms to be retained at the site.

Although the amount of car parking at the hotel site will be reduced by this proposal as has been stated above it is considered that the amount of car parking available is sufficient to cater for the present needs of the hotel. The car park will still be large even when developed and on the odd occasion when parking exceeds the availability within the main car park there is parking elsewhere in the town centre. It would seem unlikely that the viability of the hotel and public house are likely to be significantly effected by this proposal.

Other Considerations

Some concerns have been raised in relation to the proximity of the new dwellings to the rear of the public house, in terms of the possibility of noise nuisance that will occur to the new dwellings from any functions that are held to the rear of this hotel and public house. No objections have been raised to this proposal from environmental health and given the distance from the rear of the public house which is further away than other residential properties in the area it is not considered that this would constitute a significant barrier to development.

CONCLUSION

Overall this application offers the opportunity to make better use of this brownfield site by providing further small homes, which will enhance the overall appearance of the rear part of this site without adversely affecting the character and appearance of the area. As such this application is recommended for approval

RECOMMENDATION: subject to the payment of a commuted sum under the requirements of policy R2

APPROVE: for the following reasons

The proposal is considered appropriate to the setting of the listed building and the adjacent conservation area and subject to conditions will have an acceptable impact upon residential amenity and the highway network.

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. (0004)

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

Reason: To ensure the exact position of the buildings within the site.

(3) Before development is commenced, a schedule of external facing materials shall be submitted, and, where so required by the Local Planning Authority, sample panels of the external finishes shall be constructed on the site and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D05A)

Reason: 0014 To secure a harmonious form of development.

(4) Before development is commenced, large scale details (not less than 1:10 scale) of the: Chimney stacks, (to confirm height, corbel detailing and materials), Eaves, gables and window sections to the front elevations of the dwellings hereby approved, shall be submitted to, and approved in writing by the Local Planning authority, and the development shall thereafter accord with the approved scheme.

Reason: 0014 To secure a harmonious form of development.

(5) No development shall take place until details of the treatment of all 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 buildings. (G20A amended)

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

(6) No development shall take place until details of the treatment to all hard surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall accord with the details as so approved unless otherwise agreed in writing by the Local Planning Authority. (G21A)

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

(7) No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development. (G22A)

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

(8) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. (G23A)

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

(9) No construction work shall take place on Sundays or public holidays or outside the hours of 7.30am to 8.00pm, weekdays and 8.00am to 1.00 pm Saturdays. This condition shall not apply to the internal fitting out of the buildings. (M03A)

Reason: 0070 To minimise the disturbance which noise during the construction of the proposed development could otherwise have upon the amenities of nearby dwellings.

(10) Notwithstanding the provisions of Classes A-E inclusive 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 alterations nor extensions to the dwellings 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.

Reason: 0107 To enable the Local Planning Authority to retain control over the development in the interests of amenity.

(11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts onto a road. (V19A)

Reason: In order that visibility across the site may be protected in the interests of highway safety.

(12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), no windows/dormer windows [other than those expressly authorised by this permission] shall be constructed. (V20A)

Reason: 0112 To enable the Local Planning Authority to retain control over the appearance of the dwellings in the interests of visual amenity and the amenity of adjoining properties.

(13) No development shall take place within the area of the application until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to exercise adequate control over any development which would affect the area of archaeological interest.

And in accordance with the following policies of the adopted Salisbury District Local Plan:
G1 & G2, General Policies D1, Extensive development D2, Infill development E16, General employment CN3, CN4 & CN5 Listed buildings, CN8, CN9, Conservation areas TR11, Off street Parking TR13, Footpaths TR14, Bicycle Parking, R2, Recreational payment.

NOTES:

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Case Officer
Mr A Madge

Contact No
01722 434541

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|-------------------|------------|--------------------|-------------------|
| S/2004/1902 | 02/09/2004 | 28/10/2004 | HAVENBRAE LIMITED |
| MERE | MER | II* | G B HOGG |
| Easting: 381218.9 | | Northing: 132404.3 | |

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| PROPOSAL: | LISTED BLDG (WKS) - ERECTION OF THREE TWO BEDROOM DWELLINGS WITHIN THE CURTILAGE AND CREATION OF FOUR ONE BED FLATS WITHIN EXISTING ANNEXE INCLUDING DEMOLITION OF EXTENSIONS THERETO AND ASSOCIATED PARKING |
| LOCATION: | OLD SHIP HOTEL CASTLE STREET MERE WARMINSTER BA126JE |

REASON FOR REPORT TO MEMBERS

Councillor Jeans requests determination at committee due to the controversial nature of the application (Connected to application S/04/1901)

SITE AND ITS SURROUNDINGS

The site is the old ship Hotel in Mere situated off, Castle Street. To the front of the site is the original grade 2 * listed building, whilst to the rear is a large car park and ancillary buildings. There is a single width access off Castle Street and a further access off Manor road to the side of the site. The surrounding area is mixed but predominantly residential. To the south of the site is a bank building which fronts on to the main high street. To the east is the Walton building which is currently being converted into a number of flats. To the northeast are further residential bungalows known as 1-3 the Forge, whilst to the north are rows of semi-detached dwellings. To the west of the site is a further mixture of partly residential and commercial buildings. To the rear of the site is Castle Hill Lane, which is a narrow single-track lane. The site is located within the town centre of Mere.

THE PROPOSAL

The proposal is for the building of/conversion of seven number houses and flats to the rear (north) of the Ship Inn site. It is proposed to convert the existing ancillary Hotel building to four, one-bedroom flats and then build a terrace of three, two bedroom houses at the rear. Seven parking spaces are to be provided for the new properties, one for each of the new dwellings. The new dwellings are to be constructed of stone with a pitched roof and will front Castle Hill lane although the main vehicle access will be through the Hotel car park. They are provided with gardens to the rear. The flats will be converted from the existing hotel building although the existing somewhat unsympathetic flat roof extensions will be demolished and the building then converted to four, one-bedroom flats. Long windows are to be placed in the exterior, replacing the present smaller windows.

PLANNING HISTORY

Most recently

04/1778 Proposed Internal works Granted 04

CONSULTATIONS

WCC Highways - No highway objection in principle but would recommend the deletion of parking spaces numbered 5, 21 and 22 for secure bicycle parking provision. Also suggest the setting back of the wall at the Manor road/Castle Hill lane junction. Additionally requests the deletion of the steps leading up to the site from Castle Hill lane.

WCC Library/ Museum - Recommends a condition requiring that no development take place until the applicant or their successors in title have secured a programme of archaeological works.

Wessex Water Authority- - The development is located within a foul sewer area and it will be necessary for the developer to agree a point of connection onto the system for the satisfactory disposal of foul flows. There are water mains within the vicinity of the proposal. Again connection can be agreed at the design stage.

REPRESENTATIONS

| | |
|------------------------|----------------------|
| Advertisement | Yes expired 14/10/04 |
| Site Notice displayed | Yes expired 14/10/04 |
| Departure | No |
| Neighbour notification | Yes |

When open spaces are so few in the centre of Mere why restrict parking even further? Just as important why almost eliminate a family play area much used and enjoyed in good weather? Are either of these restrictions implicit in this application of benefit to you, I think not.

In addition a further letter of objection, objecting to the three sites, The Walton building, The Old ship Hotel and Castle Street garage. The letter expresses concerns regarding the parking problems that may occur as a result of the three sites taken together and the potential for traffic problems at the already hazardous junction of Manor road, firstly with North St and immediately after with Castle St and The Square. Mere lies in a rural area poorly served by public transport. The use of a car is today essential to most households and often 2 or 3 cars are necessary depending on employment. Mere has changed dramatically in the last decade newcomers tend to have a car or several with a family and tend to receive more visitors by car. This has put pressure on the limited parking availability. Developments in surrounding villages have also increased car-parking pressure. Recent developments of bed and breakfast premises in Castle Street are helpful to the tourist trade but without off street parking these add to parking issues in the area. The proposed development of the Castle hill garage site appears to leave little if any space for visitor parking who will presumably be expected to use Castle St or it's public car park- already inadequate. The proposed developments taken together will lead to an unacceptable degree of over development in comparison to the parking facilities proposed. Surely it is time to take an overview of parking within Mere town centre- before permitting further piecemeal development of available land or premises.

Parish Council response Yes

Adversely affect viability of hotel

The old ship Hotel is an ancient Coaching Inn and a building of significant importance to Mere's heritage. Its continuation as a hotel is of paramount importance to Mere's economy. It currently provides valuable facilities for functions- auctions, wedding receptions, birthday parties, funeral gatherings etc. The Parish Council consider that this development would ultimately lead to the demise of the hotel for the following reasons:

a) Loss of amenity for hotel customers

The application shows parking spaces (numbered 13 – 19) in the area currently used as a courtyard garden/seating area for hotel customers. Some years ago this area used to be used as a car parking area and the hotel management decreed that this parking area was needed as an outside seating and courtyard garden area for the viability of the hotel. Members are aware that this area is often used by hotel customers for eating/drinking outside. If car parking were to be provided in this area then it would result in the loss of an important asset to the current hotel business.

b) Loss of Car Parking

This application would result in the loss of a significant area of car parking which currently serves the hotel and public house business, currently insufficient parking within the existing car park and as a result cars park elsewhere in Mere usually along Castle street and around the square which causes on street car parking problems. The proposed parking is inadequate. Car

parking spaces 10 and 13 conflict with fire escapes and 11 and 12 are directly outside the kitchen.

C) Amenity of occupiers of new dwellings

Potential occupants would be subjected to the noise and disturbance from users of the car park late in the evening and also from any musical events held in the public house. The main function areas of the hotel are situated towards the rear of the building, which is nearest to the proposed developments. Should activities in the hotel constitute an environmental health nuisance for new occupiers then the district council will need to take action under environmental health legislation.

Development of Site

Concern is expressed about pedestrian access onto Castle Hill Lane, which could be hazardous. The means of access to serve the proposed development is through the existing car park. The access under the coaching inn archway could cause conflict with pedestrians coming into or out of the hotel. The second access is approached by a stretch of single lane carriageway along manor road. This is hazardous, as drivers cannot see what is coming down Manor road from the square.

The accompanying car parking assessment states that there is a requirement for 7 car parking spaces for the residential development. However this is not practical in a rural area such as Mere where public transport facilities are less than adequate and the average number of cars per households is 2. The parish council therefore feels that there would be a conflict between users of the new dwellings and users of the hotel/public house.

MAIN ISSUES

Impact on the listed building

POLICY CONTEXT

Adopted Salisbury Local Plan policies G1 and G2 (General criteria for development) CN3, CN4, CN5 Listed buildings. CN8, CN9 Conservation areas.

PLANNING CONSIDERATIONS

Impact on Listed building

English Heritage have raised no objections to this development and given the distance between the rear of the listed building and the new properties it is considered that the development will not have an adverse impact on the character or appearance of the listed building. The new properties are to be built of local stone similar to that of surrounding buildings and the open barn structure for the cars associated with the new dwellings is in keeping with the style and appearance of other buildings in the area. The changes to the existing ancillary hotel building can be seen to be positive in removing some relatively ugly ancillary extensions to the building, which are flat roofed, and generally improving the appearance of the building.

The building is located within the conservation area in Mere. The area is characterised by stone two and three storey buildings of varying styles and appearance. The introduction of these small stone built cottage style buildings is considered in keeping with the style and appearance of the conservation area and as such complies with policy CN8 and CN9 of the adopted local plan.

CONCLUSION

Overall it is considered that this scheme will complement the existing hotel on site in visual terms and facilitate the removal of some poor existing outbuildings and additional extensions, which will improve the overall appearance of the site.

RECOMMENDATION: Subject to referral to Secretary Of State (GOSW) That GOSW be informed that Salisbury District Council are minded to **APPROVE:** for the following reasons

The proposal is considered appropriate to the setting of the listed building and the adjacent conservation area and subject to conditions will have an acceptable impact upon residential amenity and the highway network.

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. (0004)

(2) Any new or disturbed external surfaces shall be finished to match those of the existing building

Reason: To maintain the present character of the building.

And in accordance with the following policies of the adopted Salisbury District Local Plan: G1 & G2, General Policies D1, Extensive development D2, Infill development E16, General employment CN3, CN4 & CN5 Listed buildings, CN8, CN9, Conservation areas TR11, Off street Parking TR13, Footpaths TR14, Bicycle Parking, R2, Recreational payment.

NOTES:

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Case Officer
Mr A Madge

Contact No
01722 434541

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| S/2004/2029 | 17/09/2004 | 12/11/2004 | MR D GRAYSON |
| MERE | MER | II | MR M MORRIS |
| Easting: 380968 | | Northing: 132300.3 | |

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|-----------|--|
| PROPOSAL: | FULL APPLICATION -ERECTION OF 11 DWELLINGS CONVERSION OF EXISTING STORES TO DWELLING |
| LOCATION: | CASTLE HILL GARAGE CASTLE STREET MERE WARMINSTER BA126JQ |

REASON FOR REPORT TO MEMBERS

Councillor Jeans has requested that this item be determined by Committee due to: the controversial nature of the application

SITE AND ITS SURROUNDINGS

The site is a former petrol station and garage situated within Castle Street in Mere. Castle Street is at this point predominantly residential in its nature consisting to the north of two storey-terraced houses which front onto the street. To the east are further residential properties situated within the conservation area the boundary for which runs along the eastern side of this site. To the rear and situated at a lower level to the existing garage is a detached residential property known as Union House. To the west of the site is a further residential property. Castle Street is heavily parked with vehicles during the evening and at weekends. The site itself contains a listed building of some importance, which once formed part of the original workhouse on the site, and is a single storey building located on the western boundary. The building is listed grade II and is designed in the gothic style by Sir George Gilbert Scott.

The remainder of the site consists of large garage buildings including a car showroom which were erected when the rest of the former workhouse buildings, which matched the remaining, listed building were removed from the site. The garage buildings have little architectural merit.

THE PROPOSAL

The proposal is for the erection of three new buildings containing residential units to be constructed loosely on the same historical pattern of buildings that were previously on the site. This will include the southern building, which is to be two and half/three storeys in height and contains six three bedroom town houses. On the eastern side of the site is proposed a single storey building, which will contain two, two bedroom flats. This building is intended to largely mirror that of the adjacent listed building in its scale and form. To the front of the site is a two-storey "gateway" building containing two, one bedroom flats and one, two bedroom flat.

It s proposed to provide two entrances to the site, where the existing entrances to the site are located and provide 19 parking spaces for the 12 units along with motorcycle and bicycle parking.

PLANNING HISTORY

Most Recently

- 04/1259 Residential/office/retail development and alteration to access Withdrawn.
- 04/1260 Conversion of office and store rooms to a single dwelling house after demolition of recent (c1970) garage addition. Withdrawn

CONSULTATIONS

WCC Highways - Response on amended plans awaited

WCC Library/ Museum - Recommends that an archaeological watching brief take place during the initial stages of development. Therefore recommends that a condition requiring an archaeological watching brief be placed on the proposal.

Wessex Water Authority- The development is located within a foul sewered area and it will be necessary for the developer to agree a point of connection onto the system for the satisfactory disposal of foul flows. There are water mains within the vicinity of the proposal. Again connection can be agreed at the design stage.

Environment Health - No objections to the proposal however it must be emphasised that the previous use of the land was associated with motor repairs, the land will be contaminated and a report will be required.

English Heritage - do not wish to make representations on this application.

REPRESENTATIONS

Advertisement Yes – Expired 28/10/04

Site Notice displayed Yes – Expired 28/10/04

Departure No

Neighbour notification Yes- Expired 18/10/04

Third Party response Concern is expressed about the impact of the three storey houses to the rear of the site on Union House to the rear. The drawings don't show the change in levels at the site. The south building will tower approximately 11 metres above the ground level outside Union house. The solution to the overlooking problem appears to be impractical, as upper windows need to be opening for building regulations purposes. The overall effect of the south building will be to tower over union House as if it were a four-storey structure. The proposal to create such a tall building in this location will run contrary to the character of the townscape in this area particularly in relation to building heights. Particularly in view of the marked difference between the northern side of Castle street which includes two and three storey buildings and the more dispersed pattern of development beyond the two storey road frontage development on the south side of the street. Whilst it is a novel concept to follow the footprint of the workhouse it should be borne in mind that that 3-storey dwelling was demolished some 40 years ago. Since that time several buildings including Union House have been converted as private dwellings. Attempting to recreate the original 3 storeys so close to them would be totally inappropriate. Requests that the south building is reduced to two storeys in height (without any rooms in the roof space) this would not compromise the design concept of the proposal.

Pleased to see that the new plans take into account many of the concerns over the access from Castle Street. We are pleased that the commercial business accommodation is not now included and that the building on the street frontage has been moved back. The idea of garden plots on the frontage is also welcome but we suggest that a covenant should be applied to prevent any walls or tall plants being added which would restrict the sight lines at the improved road junction now proposed.

There is a change in level of approximately 1.5m between the rear of the application site and the ground floor level of Union House. The south building will still be an over-dominant and overpowering structure in close proximity to union house. Still consider there will be direct overlooking from the first floor bedroom windows into a first floor bedroom window at union house. It is considered that the proposal will be contrary to policy G2 of the adopted local plan. Also considered the proposal will run counter to policy D1 criteria (iii) and (Vii) It is considered that the proposal will have a significant impact upon the established character and appearance of the area, in particular the marked difference between the northern side of Castle street which includes two and three storey buildings and the more dispersed pattern of development beyond the two storey road frontage development on the south side. Considered that the creation of a three-storey building would result in a structure, which would be poorly related to the adjacent development and would be detrimental to the character and appearance of the conservation area. The setting of which is immediately affected by this proposal. As such, the proposed development would be contrary to policies D1, CN8 and CN11 of the Local Plan.

Oppose the building of more dwellings in Castle Street on the grounds of anxiety about the quality of life so close to what would be another estate. Inevitably there will be more vehicles converging onto Castle Street, which is a very busy road. Concerned about noise; particularly in the summer months. If the application were granted we would hope that a percentage of houses might be affordable retirement homes.

Now is an opportune time to sort out the traffic problems that currently exist on Castle Street in terms of vehicles not being able to pass each other. Vehicles currently mount the pavement to pass each other and it is not a question of if but when there is an accident. It is suggested that the applicant be required to donate to the council a 6' to 8' wide strip inside the present bollard/chain fence between the two site entrances. The pavement could then be transferred to that new strip, and the present footpath incorporated within the road.

In addition a further letter of objection, objecting to the three sites, The Walton building, The Old Ship Hotel and Castle Street garage. The letter expresses concerns regarding the parking problems that may occur as a result of the three sites taken together and the potential for traffic problems at the already hazardous junction of Manor Road, firstly with North St and immediately after with Castle St and The Square. Mere lies in a rural area poorly served by public transport. The use of a car is today essential to most households and often 2 or 3 cars are necessary depending on employment. Mere has changed dramatically in the last decade newcomers tend to have a car or several within a family and tend to receive more visitors by car. This has put pressure on the limited parking availability. Developments in surrounding villages have also increased car-parking pressure. Recent developments of bed and breakfast premises in Castle Street are helpful to the tourist trade but without off-street parking these add to parking issues in the area. The proposed development of the Castle Hill garage site appears to leave little if any space for visitor parking who will presumably be expected to use Castle St or it's public car park- already inadequate. The proposed developments taken together will lead to an unacceptable degree of over development in comparison to the parking facilities proposed. Surely it is time to take an overview of parking within Mere town centre- before permitting further piecemeal development of available land or premises.

Parish Council response Object for the following reasons

Sustainability: This is a commercial site providing employment opportunities. Total residential development of this site will result in the future loss of commercial premises and employment opportunities and will therefore be unsustainable for the economic viability of Mere.

Visual amenity: The height of the south building is too high and will be overpowering to neighbouring properties (especially to Union House which is approx. 1.5m lower than the site ground level) causing complete loss of privacy. It will also spoil the visual aspect from the south of Mere. The roof height should be lowered and there should be no accommodation in the roof.

Car Parking: The proposal provides for 19 car parking spaces for 12 dwellings. The parish council considers the proposal provides insufficient parking provision. It is widely known that there are significant on-street car parking problems in Castle Street and it would therefore be wholly inappropriate to exacerbate this problem by providing insufficient car parking facilities on site.

Overdevelopment: the Parish Council considers that this application results in overdevelopment of the site and that the density of development should be reduced. It appears that the applicant is attempting to recreate the old workhouse scene of the site demolished some 40 years ago. However the Parish Council feels that this scene would now be inappropriate and out of character with the surrounding area.

MAIN ISSUES

Parking and Highways considerations
Design of buildings on site
Effect on neighbouring amenity
Loss of an employment use

POLICY CONTEXT

Adopted Salisbury Local Plan policies G1 and G2 (General criteria for development), D1 Extensive development, D2 Infill development E16 General employment CN3, CN4, CN5 Listed buildings. CN8, CN9 Conservation areas TR11 Car Parking TR13 extension of footways, TR14 Secure bicycle parking spaces. R2 Open Space provision

PLANNING CONSIDERATIONS

Parking and Highways considerations

Some concern has been raised by residents about the potential for this development to cause further on street parking problems within the vicinity of the site. At present the site provides for 19 parking spaces for 11 units, which equates to two parking spaces each for each of the town houses and one parking space for each of the flats that are proposed. The local plan does not have minimum standards for parking provision contained within it, none the less it is reasonable to expect that the larger properties should have two parking spaces whilst the smaller ones have one each. Public transport in Mere is poor and therefore each property will need to be provided with at least one parking space each and an additional one for the larger properties. Wiltshire County Council Highways department have confirmed that the number of parking spaces provided is adequate to meet the needs of the development.

In addition it is proposed by the applicant to contribute a sum of £6,000 towards traffic management measures, which would enable a scheme to be implemented to improve the safe movement of traffic along Castle Street. This will be a scheme that would not otherwise be funded immediately if this planning permission were not granted.

It should be borne in mind that the existing garage is a large premises, which has in the past attracted a considerable number of vehicles to the site. It has the potential to again be operated as a large garage considerably adding to the traffic flow in the vicinity of the premises and to on street parking difficulties in Castle Street. The current housing scheme would at least provide for 19 designated off street car parking spaces for the residential accommodation to be provided whilst also enhancing the on street measures for managing traffic. Whilst any scheme will inevitably produce traffic it is considered that the scheme currently put forward will limit best the effects of development.

Design of Development on site

The current scheme has been designed to reflect the historical context of the site, which was, that of the former workhouse, which had a similar scale and size of buildings to that, which is currently proposed. Originally there would have been an entrance or gateway building at the front of the site which was of two-storey height and which has been replicated in the northern most building on the site. The tall chimneys on this building replicate the original chimneys provided on this entranceway building. This building, which will provide three flats, is to be finished in local stone similar to that on the original listed building.

To the East is a further single storey building, which is set to mirror the opposing listed building. Again to be constructed from stone this will contain one two-bedroom dwelling. The architectural approach with all of this development is not a direct replication of that which previously existed at the site but a modern approach to a similar size and style of building to that which previously existed at the site. It is a take on the original without being a direct replication.

The final building is that to the south of the site, which is a two and a half storey building with rooms in the roof. This consists of a terrace of six dwellings each with three bedrooms which mimics the original building to the rear of the site albeit on a smaller scale and again in a more modern style. These buildings are situated considerably further forward of where the existing and former buildings were located on the site. The two and a half storey approach to this building adds considerably to the townscape of the area varying the height in the vicinity and reintroducing the historically taller building on the site.

The existing listed building on the site is to be renovated and then converted to a two-bedroom dwelling with minimal change to the internal or external fabric.

Effect on neighbouring amenity

The design of the southern building has been considerably altered and changed since the initial application to try to help neighbours fears about the height and proximity of this building to neighbouring residential properties. The building is now situated some 20M away from the nearest habitable room window at Union house. This is considered to be a reasonable distance in planning terms between habitable room windows. In addition the building has been reduced in height. The overall width and scale has additionally been reduced to further negate the effect on neighbours. The new southern building proposed is now situated further into the site and away from union house than either the existing garage or the former building, which was demolished some time ago.

In addition to all of this the windows on the rear of the southern building have been changed such that the top window in the roof now serves an en suite bathroom and will be obscure glazed. The first floor window will be partly obscure glazed where it serves the bathroom and the other half that serves the bedroom is situated in the corner of the bedroom where it is less likely there will be any prospect of overlooking. The ground floor windows, which serve the living rooms, will effectively be screened by a 2M high fence. Whilst neighbours have objected to the height of this building, at 20M distant to the nearest windows on Union House it would be difficult to justify refusal on these grounds.

There is a drop in levels between Union house to the rear and this new southern building of approximately 1.5 –2M, this will effectively make the building appear taller when viewed from the level of Union House but it is not considered that this is significant enough to warrant refusal of planning permission because the distances involved between the properties approximately 20M. As the majority of the rooms at second floor level are contained within the roof there is no significant extra height created over that of a two storey building effectively and it is difficult to see with these distances how any material harm will be done to neighbouring properties.

Other neighbouring dwellings which adjoin the site will be largely unaffected by this proposal as the eastern building at single storey in height has no windows facing out from the site. This is similar to the original listed building which has no windows on its western elevation.

Loss of an employment use

Castle Hill Garage has in the past employed a considerable number of people although more recently fewer people have been employed there. Policy E16 states that on land allocated or currently used for employment purposes, the construction, change of use or redevelopment of premises for other purposes will only be permitted where the proposed development is an acceptable alternative use that provides a similar number and range of job opportunities. The only exceptions to this are where the land or premises are no longer viable for an employment generating use and /or where redevelopment of a site for a non-employment use would bring improvements to the local environment or conservation benefits that would outweigh the loss of local jobs.

It is considered that the redevelopment of this site for a non-employment generating use would bring significant improvements both to the local environment and conservation benefits in terms of providing a better setting for the listed building. The garage site has the potential to be a noisy, and busy site, which could be potentially damaging to the amenity of neighbouring dwellings. As such it is considered that there will be a significant improvement to the environment around this site from its removal. The original application, which did include some employment uses in terms of shops to the front of the site, received a considerable number of objections from residents who were concerned about the noise, disturbance and traffic generated by this type of employment use. For this reason the employment use was deleted from the proposal.

Given the primarily residential nature of surrounding properties it is not considered that retaining an employment use of this type in this location would be appropriate and for this reason it is considered the wholly residential use of the site is more appropriate.

CONCLUSION

This proposal represents an opportunity to improve the visual aesthetics of this site, provide further housing units to meet local need. It will see the improvement of the environment around the listed building and provide funding for improvements to the parking regime within Castle Street as such this planning application is recommended for approval.

RECOMMENDATION: Subject to the payment of a commuted sum under the requirements of policy R2

APPROVE: for the following reasons

The proposal is considered appropriate to the setting of the listed building and the adjacent conservation area and subject to conditions will have an acceptable impact upon residential amenity and the highway network.

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. (0004)

(2) The finished floor levels of the proposed buildings shall be in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority before development is commenced.

Reason: In the interests of amenity.

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

Reason: To ensure the exact position of the buildings within the site.

(4) Before development is commenced, a schedule of external facing materials shall be submitted, and, where so required by the Local Planning Authority, sample panels of the external finishes shall be constructed on the site and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D05A)

Reason: To secure a harmonious form of development.

(5) Before development is commenced, large scale details (not less than 1:10 scale) of the: Chimney stacks, (to confirm height, corbel detailing and materials), Eaves, gables and window sections to the front elevations of the dwellings hereby approved, shall be submitted to, and approved in writing by the Local Planning authority, and the development shall thereafter accord with the approved scheme.

Reason: To secure a harmonious form of development.

(6) No development shall take place until details of the treatment of all 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 buildings. (G20A amended)

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

(7) No development shall take place until details of the treatment to all hard surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall accord with the details as so approved unless otherwise agreed in writing by the Local Planning Authority. (G21A)

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

(8) No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development. (G22A)

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

(9) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. (G23A)

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

(10) No development shall commence until a desk study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information.

If the potential for significant ground contamination is confirmed then using this information

A diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors should be produced.

A site investigation should be designed for the site using this information and any diagrammatical representations. (Conceptual Model) Designs should be submitted to, and approved in writing by the Local Planning Authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:

A risk assessment to be undertaken relating to groundwater and surface waters associated on and off site that may be affected, and refinement of the Conceptual Model, and the development of a method statement detailing the remediation requirements.

The site investigation shall be undertaken in accordance with details approved by the Local Planning Authority and a risk assessment shall be undertaken.

A method statement detailing the remediation requirements including measures to minimise the impact upon ground and surface waters, using the information obtained from the Site Investigation should be submitted to the Local Planning Authority This Statement shall include the phasing for any required works. This should be approved in writing by the Local Planning Authority prior to that remediation being carried out on the site.

Reason: To ensure that the proposed development will not cause pollution of Controlled Waters.

(11) No construction work shall take place on Sundays or public holidays or outside the hours of 7.30am to 8.00pm, weekdays and 8.00am to 1.00 pm Saturdays. This condition shall not apply to the internal fitting out of the buildings. (M03A)

Reason: 0070 To minimise the disturbance which noise during the construction of the proposed development could otherwise have upon the amenities of nearby dwellings.

(12) Notwithstanding the provisions of Classes A-E inclusive 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 alterations nor extensions to the dwellings nor the erection of any structures within the curtilage unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf. (V15A)

Reason: 0107 To enable the Local Planning Authority to retain control over the development in the interests of amenity.

(13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts onto a road. (V19A)

Reason: In order that visibility across the site may be protected in the interests of highway safety.

(14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), no windows/dormer windows [other than those expressly authorised by this permission] shall be constructed. (V20A)

Reason: 0112 To enable the Local Planning Authority to retain control over the appearance of the dwellings in the interests of visual amenity and the amenity of adjoining properties.

(15) No development shall take place within the area of the application until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to exercise adequate control over any development which would affect the area of archaeological interest.

(16) No built development shall take place until traffic management measures in Castle Street have been submitted to and agreed in writing by the Local Planning Authority

Reason: In the interests of highway safety.

(17) No development shall commence upon the conversion of the listed building until works have finished to demolish the existing garage buildings on site.

Reason: In order to ensure that there is no adverse impact on the amenity of the occupants of the listed building from the existing garage facility.

And in accordance with the following policies of the adopted Salisbury District Local Plan: G1 & G2, General Policies D1, Extensive development D2, Infill development E16, General employment CN3, CN4 & CN5 Listed buildings, CN8, CN9, Conservation areas TR11, Off street Parking TR13, Footpaths TR14, Bicycle Parking, R2, Recreational payment.

NOTES:

| | | | |
|-----------------|------------|--------------------|--------------|
| S/2004/2030 | 17/09/2004 | 12/11/2004 | MR D GRAYSON |
| MERE | MER | II | MR M MORRIS |
| Easting: 380968 | | Northing: 132300.3 | |

| | |
|-----------|---|
| PROPOSAL: | LISTED BLDG (WKS) -CONVERSION OF OFFICE AND STORE ROOMS TO A SINGLE DWELLING HOUSE AFTER DEMOLITION OF RECENT (c1970) GARAGE ADDITION |
| LOCATION: | CASTLE HILL GARAGE CASTLE STREET MERE WARMINSTER BA126JQ |

REASON FOR REPORT TO MEMBERS

Councillor Jeans has requested that this item be determined by Committee due to: the controversial nature of the application

SITE AND ITS SURROUNDINGS

The site is a former petrol station and garage situated within Castle Street in Mere. Castle Street is at this point predominantly residential in its nature consisting to the north of two storey-terraced houses which front onto the street. To the east are further residential properties situated within the conservation area the boundary for which runs along the eastern side of this site. To the rear and situated at a lower level to the existing garage is a detached residential property known as Union house. To the west of the site is a further residential property. Castle Street is heavily parked with vehicles during the evening and at weekends. The site itself contains a listed building of some importance, which once formed part of the original workhouse on the site, and is a single storey building located on the western boundary. The building is listed grade II and is designed in the gothic style by Sir George Gilbert Scott.

The remainder of the site consists of large garage buildings including a car showroom which were erected when the rest of the former workhouse buildings, which matched the remaining, listed building were removed from the site. The garage buildings have little architectural merit.

THE PROPOSAL

The proposal is for the conversion of the existing listed building to a single dwelling from the existing office and store room and the demolition of the adjoining 1970's garage.

PLANNING HISTORY

04/1260 Conversion of office and stone rooms to single dwelling house after demolition of recent garage addition. Withdrawn.

CONSULTATIONS

WCC Highways - Will be reported verbally

REPRESENTATIONS

| | |
|------------------------|------------------------|
| Advertisement | Yes – expired 28/10/04 |
| Site Notice displayed | Yes – expired 28/10/04 |
| Departure | No |
| Neighbour notification | Yes- expired 18/10/04 |
| Third Party responses | Yes |

Neighbour objects on the grounds that the back of the wall of the garage forms the boundary with the neighbouring residential property and by removing this the back of the house and garden will be overlooked.

Parish Council response Yes Object- Sustainability- the existing use of this building is commercial and thereby provides employment opportunities. The Parish Council are unable to support the conversion into residential use which will result in the future loss of commercial premises and employment opportunities and will therefore be unsustainable for the economic viability of Mere.

MAIN ISSUES

Change of use of the premises
Alterations to the listed building

POLICY CONTEXT

E16- Employment uses
CN3 & CN4 Listed buildings

PLANNING CONSIDERATIONS

Change of use of the premises

Policy E16 states that on land allocated or currently used for employment purposes, the construction, change of use or redevelopment of premises for other purposes will only be permitted where the proposed development is an acceptable alternative use that provides a similar number and range of job opportunities. The only exceptions to this are where the land or premises are no longer viable for an employment generating use and /or where redevelopment of a site for a non-employment use would bring improvements to the local environment or conservation benefits that would outweigh the loss of local jobs.

It is considered that this application will have a significant benefit to the listed building in reusing the building which has lain empty for some time and by precluding the previous garage use which has left this building in a poor state of repair. Whilst overall there will be a loss of employment uses from this site, in terms of the listed building the enhancement to its setting and internal fabric is considered to outweigh any potential harm from the loss of the employment use.

Alterations to the listed building

The primary alteration to the listed building will involve the removal of a 1970's garage which has been added to the rear of the property. This is of poor architectural appearance and as such its removal is only likely to enhance the setting of the listed building in compliance with policy CN3 of the adopted local plan. Although internal changes are required these will be minimal and most of the changes will be the repair and restoration of this building. No new windows or significant alterations are required to the external appearance of this structure. Although a neighbour has raised concerns about the demolition of the garage building these are largely to do with the boundary between the two properties and are therefore covered under the party wall act.

CONCLUSION

In conclusion the demolition of the existing garage is only likely to improve the appearance of the listed building it's repair and restoration is to be welcomed and the loss of the employment use is mitigated by the benefits that accrue as a result of the listed buildings retention.

RECOMMENDATION:

APPROVE: for the following reasons

The proposed conversion of this building to residential use will not have an adverse effect on the residential amenity of neighbouring occupiers and will facilitate the preservation of this listed building in compliance with policies CN3 and CN4 of the adopted 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. (0004)

(2) Before development is commenced, a schedule of external facing materials shall be submitted, and, where so required by the Local Planning Authority, sample panels of the external finishes shall be constructed on the site and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D05A)

Reason: To secure a harmonious form of development.

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

Policy E16, Employment uses CN3, CN4 Listed buildings

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/2004/2143 | 07/10/2004 | 02/12/2004 | ABS DEVELOPMENTS |
| TISB | | | DAVISON ASSOCIATES |
| Easting: 394342.696867228 | Northing: 129206.210058212 | | |

| | |
|-----------|---|
| PROPOSAL: | FULL APPLICATION -ERECTION OF 12 DWELLING HOUSES AND FORMATION OF ASSOCIATED ACCESS ROAD AND PARKING BAYS |
| LOCATION: | ALLOTMENT GARDENS CHURCH STREET TISBURY SALISBURY SP3 6NH |

REASON FOR REPORT TO MEMBERS

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

SITE AND ITS SURROUNDINGS

A sloping site of uneven and overgrown land situated adjacent to the conservation area of Tisbury.

The western boundary with the public footpath is formed by disintegrating metal 'park rail' fencing. The northern boundary by a panel fence in poor condition, the southern boundary with the rear of the dwellings in Church St by a traditional stone wall and the remaining boundaries by a mixture of block walling, trees and hedges.

Access to the site is proposed from Church Street adjacent to the newly constructed Parsonage Mead and involves a retaining wall above the Parsonage Mead garages. Visibility at its junction with Church Street is good to the west and capable of improvement to the east.

There is residential development to all sides except the north.

There is also a pub car park and function room adjoining the site at the southwest corner.

The site is visible from the conservation area.

THE PROPOSAL

To construct 12 dwellings with parking and access. These are mainly arranged in semidetached pairs and are a mixture of 2 and three bedroomed dwellings. Parking (at two spaces per dwelling) is provided as far as possible within curtilage. None exceeds two storeys.

The layout has been orientated to provide future access possibilities to the site to the north and the houses aligned so as not to overlook their neighbours and to run with the grain of the landscape, and affording views in and out of the conservation area.

PLANNING HISTORY

S/03/2133 9 dwellings and access refused under delegated powers 9/12/03 and dismissed on appeal 14/05/04.

A copy of the appeal decision is attached as an **Appendix 1**.

CONSULTATIONS

WCC Highways - Acceptable in principle but requires further details as follows:

Further detail of access to show ramped access point

Details of the retaining wall on western side of the access

Access should be shared surface

Visibility splay needs to be introduced within development if access road is to serve further development

Gradient of turning head not to exceed 1 in 20 and any changes to accommodate further development must be at an acceptable gradient

Additional offsite infrastructure provided to improve pedestrian safety (improved street lighting on footpath)

WCC Library/ Museum - Require watching brief condition

Housing & Health Officer - Adjoining site is old coal yard. If this were reused for that purpose could cause nuisance from dust & vehicle movements

Public house & car park has potential to cause disturbance, Site is poorly drained with clay subsoil. More detail must be supplied in respect of surface water drainage. Discharge to brook must be attenuated or deep soakaways provided.

EA should be consulted.

Wessex Water Authority- Water mains and main sewer available

Environment Agency - No objection but requires surface water run off limitation scheme condition . Need informative to cover connection to adjoining site which may be contaminated.

Design Forum - Following a dismissed Appeal, a revised scheme has been prepared incorporating car parking within dwelling curtilages, and avoiding overlooking of adjoining properties

The Forum expressed concern that although the revised layout had achieved many identified objectives, it has resulted in a rather suburban character of development.

The Forum felt strongly that it is necessary to include the adjoining site in any layout plans for the development of the area, as it will help to achieve a better layout and a more efficient use of the land

The design of the dwellings is poor. Windows appear to be squeezed into small elevations.

Plans should be provided showing how the house types group together to form street elevations.

REPRESENTATIONS

Advertisement Yes Expiry date 18/11/04

Site Notice displayed Yes Expiry date 18/11/04

Departure No

Neighbour notification Yes Expiry date 18/11/04

Third Party responses Yes - 7 letters of objection on grounds of:

- Increase in density of houses will give rise to additional traffic congestion
- Not all Inspector's concerns have been met
- Should be combined plan for this and coal yard site
- Although no longer any 3-storey houses and the dwellings have been realigned to avoid overlooking still feel bungalows would be better.
- Increased traffic in Church Street, which is narrow and hazardous.
- Concern about damage to foundations from construction traffic
- Loss of privacy & noise & disturbance from access road and damage to property by construction vehicles using access
- Access road inadequate
- Out of character with locality

Parish Council response yes – object on grounds that it does not meet any of the requirements imposed by the appeal inspector.

MAIN ISSUES

Have the issues raised by the planning inspector been addressed?

Height of dwellings

Excessive parking

Permeability – walking links to adjacent development

Piecemeal development – the need to not constrain development on the adjoining site

Design and layout

Effect on dwellings in Church Street to south

Highway safety

Archaeology

POLICY CONTEXT

H16, G1, G2, D2 H25, CN8,CN11,CN22 TR12, TR15 R2 R20 Adopted SDLP

PLANNING CONSIDERATIONS

Principle

The site lies within the HPB. The allotments are not registered allotments and are derelict. The use of this site for housing is therefore acceptable in principle subject to design; layout access etc; being satisfactory

Height

The previous proposal included three-storey development, which would have been prominent. None of the dwellings on this development exceeds 2 storeys

Excessive Parking

Parking is provided at 2 spaces per dwelling. This is provided as far as possible within each curtilage so the effect of a large car parking area on the previous scheme has been avoided.

Permeability & Relationship with adjacent land.

A coherent link to the adjacent footpath has now been provided and the access road aligned towards the adjoining site although amended plans are expected to address the issue of levels & gradients. Although ideally the two sites could be developed as one that is not what has been proposed and the scheme must be considered on its merits. As long as it does not specifically restrict or preclude the development of the adjacent (brownfield) site it cannot be required to include it.

Design & layout & relationship with the Conservation Area

The scheme has been redesigned with a mix of 2 & 3 bedroomed dwellings, mainly in semi-detached form. These dwellings have been aligned so as to avoid direct overlooking with the adjacent properties in Church Street and Church St Close. None exceed two storeys. It is considered therefore that the Inspectors concerns in this regard have been met, though the result is a rather suburban layout, more akin to Church Street Close to the east.

The individual dwellings are designed to reflect the local vernacular with some coped verges and a mix of materials.

The alignment of the dwellings has been designed to afford views in, out and through the site and conservation area. . There are gaps between the buildings rather than the more solid massing of the scheme dismissed on appeal. It is therefore considered that the proposal will not detrimentally affect the character of the CA.

Relationship with the locality

The site adjoins a footpath, which gives safe access to the school. Although the layout could give access to the old coal yard site to the north, the roadway does not go up to the boundary but WCC highways would require to adopt to the boundary and consider the access as currently proposed is adequate to accommodate this.

There is a public house to the south and EHO has expressed concern that this has potential to cause noise and disturbance. The dwellings type A are close to the function room but this has no windows in the facing elevation.

The EHO is also concerned that if the coal yard were brought back into its original use that there would be potential for nuisance. There is also likelihood that adjoining site could be contaminated. It would seem prudent therefore to require this site to be investigated too to see the contamination had affected it also.

Revised floor levels have been requested to reduce the impact on the neighbouring dwellings to the south.

Affordable Housing

Although taken by itself, this site does not meet the threshold, its location adjacent to a disused Brownfield site within the HPB means that ideally the two sites should be considered together to stop the policy from being circumvented. The Inspector did not, however, subscribe to that view.

R2

A unilateral undertaking is awaited.

Drainage

There is need to address surface water drainage on this sloping site. No details have been provided although the applicants have indicated they have a surface water scheme to which the EA have no objection in principle. This is a matter than can be addressed by conditions.

Archaeology

An evaluation has taken place. This has revealed evidence from the late Bronze Age. Further investigation is therefore likely to be required as part of any development. This is a matter that can be addressed by condition.

Highway Safety

WCC have no objection in principle to the development subject to the submission of additional details. The objectors are concerned with the adequacy of the access and the effect of extra traffic on Church Street , however, with no objection from the Highway Authority in this respect refusal on such grounds could not be substantiated. The access is tortuous which should affect speeds.

Enhanced lighting to the footpath is required to assist pedestrian safety.

R20

The allotments were not registered allotments – they are not used and so it is considered that policy R20 is not applicable in this instance.

Conclusion

Whilst housing is acceptable on this site in principle, this scheme needs further revision in respect of floor levels, access gradients to make it acceptable. The applicants have been advised of this and amended plans are anticipated.

Whilst this site would be more effectively developed in conjunction with the adjacent land to the north, and such a scheme would deliver affordable housing and a more efficient use of land, that is not currently on offer and this proposal does not preclude the development of such land in future.

Therefore, on balance, providing amended plans are received to address the issues of levels, gradient and access and the Unilateral Undertaking is received by the date of the meeting, approval 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,

(B) receipt of satisfactory amended plans to address levels and gradients and visibility then this authority is minded to

:

APPROVE: for the following reasons

Although this represents a missed opportunity to achieve the best use of land together with the adjoining site to the north, that is not considered to be a valid reason for refusing the application. The site lies within the housing policy boundary of Tisbury and the Inspectors concerns have been addressed. This is therefore considered to be an acceptable form of development which will not have such detrimental effects upon the locality within which it is located to warrant refusal. It is in accordance with the policies 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 S.91 of the Town and Country Planning Act 1990.

(2) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwellings nor the erection of any structures within the cartilage unless otherwise agreed in writing by the Local Planning Authority upon submission and determination of a planning application in that regard.

Reason: To enable the Local planning Authority to exercise control over the use of the premises in the interests of regulating operations which could have adverse effects upon the amenities of nearby dwellings.

(3) The finished floor levels of the proposed buildings shall be in accordance with details to be submitted to and approved in writing by the Local Planning Authority before development is commenced.

Reason: To ensure exact finished floor levels of the buildings.

(4) Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, sample panels of the external finishes shall be constructed on the site and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D05A)

Reason: To ensure a harmonious form of development.

(5) The access road and parking shall be laid out as detailed in the amended plans (awaited) before the development is occupied.

Reason: To ensure a reasonable standard of development in respect of highway and pedestrian safety.

(6) No development shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority:
Further detail of access to Church Street to show a ramped access point
Details of the retaining wall on western side of the access
Details of the surfacing of the access road, which should be a shared surface
The provision of visibility from 2.4 back from the carriageway edge on the northwestern side of the hammerhead.

Reason: In the interests of highway safety.

(7) The Gradient of the turning head shall not exceed 1 in 20 and shall be designed to accommodate linking to the land to the north at no steeper a gradient.

Reason: In the interests of highway safety.

(8) No dwelling shall be occupied until the street lighting on the adjacent footpath to the east has been improved.

Reason: In the interests of highway safety.

(9) No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

Reason: In the interests of amenity and the environment.

(10) No development shall take place until there has been submitted to and approved by the Local Planning Authority details of the treatment of all hard surfaces.

Reason: In the interests of amenity and the environment.

(11) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and the environment.

(12) 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 in writing and shall be carried out as approved prior to the occupation of any dwelling.

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

(13) No development shall be commenced until a scheme for the provision and implementation of surface water run off limitation has been submitted to and approved by the Local Planning authority. The scheme shall be implemented in accordance with the approved programme and details.

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

(14) No development shall take place within the area of the application until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority

Reason: To enable the Local Planning Authority to exercise adequate control over any development which would affect the area of archaeological interest.

(15) Ungated pedestrian access shall be provided to the footpath to the west before the development is occupied.

Reason: To ensure a reasonable standard of development and to comply with the sustainability policies of the Local Plan.

(16) Before the development hereby permitted commences on the site, a soil survey of the site shall be undertaken and the results provided to the Local Planning Authority. The survey shall be taken at such points and to such depth as the Local Planning Authority may stipulate. Should contamination be found, a scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority in writing and the scheme as approved shall be fully implemented and completed before any [residential] unit hereby permitted is first occupied (T04A)

Reason: In the interests of health and safety for occupants of, or visitors to, the proposed development.

(17) Construction work shall not begin until a scheme for protecting the proposed dwellings from noise from the adjacent public house has been submitted to and approved by the Local Planning Authority; all works which form part of the scheme shall be completed before [any of] the dwellings are occupied.

Reason: In the interests of the amenities of the occupiers of the dwellings.

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

G1 Sustainable development

| | |
|------|---|
| G2 | General DC criteria |
| D1 | Design |
| D2 | Design |
| H16 | Housing Policy Boundary |
| CN11 | Development in Conservation Areas |
| CN21 | Development in areas of archaeological interest |
| CN22 | Development in areas of archaeological interest |
| TR12 | Linkages to footpaths |
| TR15 | Pedestrian safety |
| R2 | Recreational open space |

INFORMATIVE: - Your attention is drawn to the comments of the Environment Agency (attached as **Appendix 2**)

The improvements to street lighting required under condition 07 shall be at the applicant's expense.

(C) If the applicant does not comply with (A) above the application is delegated to the Head of Development Services to refuse the proposal on non-compliance with Policy R2.

NOTES:

| | | | |
|-------------------|------------|--------------------|--------------|
| S/2004/2163 | 30/09/2004 | 25/11/2004 | L DIMMER ESQ |
| BROA | BRO | | E FRY |
| Easting: 403552.6 | | Northing: 125571.5 | |

| | |
|-----------|---|
| PROPOSAL: | FULL APPLICATION -ERECTION OF 2, TWO STOREY DWELLINGS |
| LOCATION: | LONG CLOSE HIGH LANE BROAD CHALKE SALISBURY SP5 5HA |

REASON FOR REPORT TO MEMBERS

At Councillor Draper's request on the grounds of local interest

SITE AND ITS SURROUNDINGS

The site consists of a single bungalow and associated garden, in a ribbon of residential development along the southern side of High Lane in Broadchalke. The site lies within the AONB, and also within the Housing Policy Boundary

THE PROPOSAL

The application proposes the demolition of the existing dwelling and its replacement with two, two storey dwellings and garaging.

PLANNING HISTORY

None

CONSULTATIONS

Highway Authority no objection subject to conditions
 English Nature survey of protected species needs to be undertaken before permission approved
 Environment Agency confirm that site lies outside floodplain
 Environmental Health no objection in principle. Site likely to have groundflow water passing through site, which needs to be considered as part of foundations. Also recommend use of treatment plant rather than septic tank.

REPRESENTATIONS

| | | |
|-------------------------|-----|------------------|
| Advertisement | Yes | expired 11/11/04 |
| Site Notice displayed | Yes | expired 11/11/04 |
| Departure | No | |
| Neighbour notification | Yes | expired 04/11/04 |
| Neighbour response | No | |
| Parish Council response | No | |

MAIN ISSUES

Impact on character and appearance of area (including AONB)
 Impact on living conditions of neighbouring properties
 Protected species
 Flooding and environmental health considerations
 Recreational public open space

POLICY CONTEXT

H16, D2, C4, R2, C12, G4, G2

PLANNING CONSIDERATIONS

Impact on character and appearance of area (including AONB)

The site lies within the Housing Policy Boundary where new dwellings are, in principle, acceptable. The street scene on the southern side currently has a predominantly built up appearance, with a mix of dwellings, generally two storey in height. The proposed dwellings would have a design similar to others nearby and would not appear out of place. Appropriate materials would be used. It would maintain the natural beauty of the area.

Impact on the living conditions of neighbouring properties

Two properties adjoin the site. Thunderstones (a relatively recent infill dwelling) to the east and The Manse to the west. Other than windows that could be obscure glazed, the proposed dwellings would only have windows facing to the front and rear. The proposals would not, therefore, result in unacceptable overlooking.

Similarly, the proposed dwellings would be a sufficient distance from the adjoining properties not to result in undue overdominance or loss of light to the neighbours on either side.

Thunderstones is set back from the main bulk of the eastern dwelling, while The Manse, although facing towards the proposed dwellings, would not be unduly harmed by the proposals.

Overall, the proposals would not harm the living conditions of neighbouring properties.

Protected species, environmental health considerations and recreational open space

English Nature have commented that the existing site may provide a habitat for bats roosting in the existing dwelling. However, the applicants have employed a qualified ecologist, who has confirmed that there is no evidence of protected species using the property for a habitat.

The site lies outside the most recently-identified floodplain and so would not result in increased floodrisk. Environmental Health officers have no objected provided a treatment plant is used – this the applicant has agreed to, and given details of its location. Considerations relating the foundations are a matter for building control. Finally, the applicants have submitted the appropriate recreational open space contribution.

CONCLUSION

The proposed dwellings would not harm the character and appearance of the area, nor the living conditions of adjoining properties. They would not result in additional floodrisk and would utilise an acceptable means of foul drainage. The proposals would not harm protected species and would make an adequate contribution to recreational open space by way of a S106 Unilateral Obligation.

RECOMMENDATION: APPROVE: for the following reasons

The proposed dwellings would not harm the character and appearance of the area, nor the living conditions of adjoining properties. They would not result in additional floodrisk and would utilise an acceptable means of foul drainage. The proposals would not harm protected species and would make an adequate contribution to recreational open space. They would therefore comply with replacement Salisbury District Local Plan policies H16, D2, C4, R2, C12, G2 and G4.

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)

Reasons: 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 walls and roofs 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) No development shall take place until plans, to scale, of the eastern elevation of the westernmost dwelling, and the western elevation of the easternmost dwelling, have been submitted to and approved, in writing, by the Local Planning Authority. Development shall be undertaken in accordance with the plans thereby approved.

Reason: To ensure the adequate appearance of the dwellings

(4) Upon the first occupation of one of the dwellings hereby approved, the first floor window serving bathroom 1 of the westernmost dwelling, and the first floor window serving the en-suite bathroom of the easternmost dwelling, shall be fixed shut and glazed with obscure glass, and shall remain in that state in perpetuity. No other windows shall be inserted into the side elevations of either dwelling.

Reason: In the interests of the reasonable living conditions of adjoining properties.

(5) None of the dwellings shall be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority. (L02A)

Reason: To ensure that the development is provided with a satisfactory means of drainage.

(6) Notwithstanding the provisions of Classes A to H 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 or alterations to the dwellings nor the erection of any structures within the curtilage unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf. (V15A)

Reason: In the interests of neighbouring properties' amenities

(7) Before the dwellings hereby approved are first occupied, a properly consolidated and surfaced access (not loose stone or gravel) shall be constructed for a distance of 5 metres from the nearside edge of the carriageway, details of which shall be submitted to and approved, in writing, by the Local Planning Authority.

Reason: In the interests of highway safety

(8) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved, in writing, by the Local Planning Authority.

Reason: In the interests of highway safety

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

| | |
|-----|--|
| H16 | Housing Policy Boundary |
| D2 | Infill development |
| C4 | Development in Areas of Outstanding Natural Beauty |
| R2 | Recreational open space |
| C12 | Protected species |
| G4 | Development and flooding |
| G2 | General Development criteria |

INFORMATIVE:

You are advised that the foul drainage scheme to be submitted under condition 5 shall be a treatment plant

NOTES:

| | | | |
|-------------------|--------------------|------------|-------------|
| S/2004/2427 | 11/11/2004 | 23/12/2004 | SARA WILLAN |
| TEFF | TMA | II | |
| Easting: 398975.4 | Northing: 131565.5 | | |

| | |
|-----------|--|
| PROPOSAL: | TREES IN CONS.AREA -CROWN REDUCE 1 BEECH TREE BY APPROX 20% CROWN LIFT YEW TREES ALONG WESTERN BOUNDARY |
| LOCATION: | BRIDGES TEFFONT EVIAS SALISBURY SP3 5RG |

REASON FOR REPORT TO MEMBERS.

Council member application. Notification has been received, under Section 211 of the Town and Country Planning Act 1990, on behalf of Mr & Councillor Willan to carry out works to a number of trees within a conservation area, and as required by the Council's constitution, this matter is placed before the committee for their consideration.

SITE AND ITS SURROUNDINGS

'Bridges' is a large country manor house set in reasonably substantial gardens within the conservation area of Teffont Evias.

THE PROPOSAL

To reduce the crown of a Beech tree adjacent to the southern gate and under the canopy of the very large Sycamore and to crown lift (remove lower branches) on the line of Yew trees along the western boundary.

PLANNING HISTORY

N/A

CONSULTATIONS

None.

REPRESENTATIONS

Parish Council response. None received.

MAIN ISSUES

Impact upon Conservation Area.

POLICY CONTEXT

CN8

PLANNING CONSIDERATIONS

None

CONCLUSION

The works will not have any significant effect on the conservation area nor are the trees considered for a TPO as the proposed works are appropriate arboricultural management.

RECOMMENDATION: No objections be raised to the proposed works.

NOTES:
