

LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING COMMITTEE
WESTERN AREA – 31/03/05

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 & COUNCILLORS	NOTES
1 SV	S / 2005 / 198 Miss A Rountree	DR AND MRS G LEWIS PILE OAK LODGE DONHEAD ST ANDREW	REF	DONA	2 - 6	DONHEAD Councillor Cole-Morgan	
2	S / 2005 / 258 Miss A Rountree	MR AND MRS A SMITH LADY CROFT PORTNELLS LANE ZEALS	REF	ZEAL	7 - 9	WESTERN & MERE Councillor Jeans Councillor Mrs Spencer	
3	S / 2005 / 83 Mr S Rennie	SALISBURY DISTRICT COUNCIL 2 MANOR TERRACE KILMINGTON	APPC	KILM	10 - 13	WESTERN & MERE Councillor Jeans Councillor Mrs Spencer	
4	S / 2004 / 2628 Miss L Flindell	MR AND MRS W EDWARD SAWMILLS WARDOUR TISBURY	APPC	TISB	14 - 20	TISBURY & FOVANT Councillor Mrs Green Councillor Hooper	

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

framed section on the south-west elevation surrounded by a timber deck on the north west and south-west elevations.

Since the previous application the ridge heights have been stepped down and the existing lodge has been fully integrated into the building so that it is no longer capable of being used as a separate dwelling.

PLANNING HISTORY

2983	Extension to dwelling	AC	12/01/68
3397	Extension to form additional bedroom	AC	12/12/69
1971/0278	Erection of Garden Shelter	A	14/01/72
1971/0204	Erection of a Conservatory	A	15/10/71
1972/0230	Extension forming bedroom, bathroom and kitchen	A	11/08/72
2004/0515	Erect Agricultural Barn	R	28/07/04
2004/1170	Form parking and turning area and construct car-	AC	09/11/04

port to north east of dwelling

2004/1771	Replacement dwelling incorporating part of original dwelling and substantial demolition	WD	18/10/05
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2004/1798	Siting of a mobile home in connection with replacement dwelling	WD	18/10/05
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The description of the application has been altered since the submission of the previous application from "replacement dwelling" to "alterations and extensions" as greater efforts have been made to integrate the original dwelling into the proposal. The previous application was withdrawn following a recommendation to refuse under delegated powers.

CONSULTATIONS

- Wiltshire Gardens Trust - Object on the grounds of overdevelopment to the original lodge which would set a precedent for the enlargement for other lodge cottages
- The Garden History Society - Object on the ground that the effect of the extension will harm the historic designated landscape.
- English Heritage- Do not wish to make representations – recommendation should be made in accordance with Government guidance and development plan policies
- WCC Highways - No objection
- Arboricultural Officer - No objection subject to tree protection conditions
- English Nature - No objections subject to condition on demolition work
- Wessex Water Authority - No objection
- Environment Agency - No objection
- Design Forum (4th March 2005) - Considers that the proposed is sensitively conceived and appears a natural extension to the original Lodge building, although clearly different from it. One member expressed some concerns over the large glazed gable end window.

REPRESENTATIONS

Advertisement	Yes	Expired 10/03/05
Site Notice displayed	Yes	Expired 10/03/05
Departure	No	
Neighbour notification	Yes	Expired 01/03/05
Parish Council response	Yes	No Comment
Third Party responses	Yes	1 letter of support, 3 letter of objection regarding: <ul style="list-style-type: none"> • overdevelopment of the site • development not in keeping with existing dwelling • the extension dwarfing the original dwelling

- a three storey dwelling is out of keeping with the dwelling and area
- the decking being out of keeping with a stone dwelling
- building up right up to the north-western boundary
- impact on the drainage system from 6 bathrooms
- increase in traffic along footpath 7
- damage and obstructions caused by construction vehicles on footpath 7

MAIN ISSUES

Planning Policy

Scale & Design

Impact on Surrounding Landscape

Impact on Footpath

Impact on Drainage

POLICY CONTEXT

Adopted Salisbury District Local Plan G1,G2, C1, C2, C4, C5, H31,CN18

Wiltshire Structure Plan C8, HE3

PLANNING CONSIDERATIONS

Planning Policy

The relevant policy is H31. Forward Planning advise that the proposal is contrary to that policy.

Scale & Design

Although the design per se is innovative and of high quality the main concern is whether the development is accordance with the policies of the SDLP and Government Guidance. Effectively the original lodge will be subsumed into a much larger dwelling destroying the existing character of the modest original dwelling. Although the property is already extended, it is mainly at a single storey level allowing the lodge still to be read visually as it was originally conceived.

The floor area figures submitted by the agent are somewhat misleading. They state that the net floor area of the proposed dwelling is an increase of just over 42% over the existing but the property has already been extended considerably, mainly single storey level. It is now proposed to demolish these existing extensions to create a dwelling which will have a floor area of 542m² representing an increase over the original lodge (which was 70.92m²) of 764%. Policy H31 permits extensions to dwellings in the open countryside providing they are subservient to, and do not alter the character of, the existing dwelling. The proposal is demonstrated to create a dwelling considerably larger than the existing and although of a high quality design it does not reflect the character of the original lodge. By virtue of its scale, massing and height the extension creates a much greater impact than both the original lodge and the property as extended. PPS 7 states that "New building development in the open countryside away from existing settlements, or outside areas allocated for development in development plans, should be strictly controlled" and "all development in rural areas should be well designed and inclusive, in keeping and scale with its location, and sensitive to the character of the countryside and local distinctiveness" which this proposal is not considered to be.

Impact on Surrounding Landscape

Although Pile Oak Lodge itself is not listed it lies within the Grade II* landscape of Wardour Castle which is included on the English Heritage Register of Parks and Gardens with Historic Interest. New Wardour Castle is approached by a number of drives, which were originally designed to show a sequence of views and responses to the visitor, and as such Pile Oak Lodge is integral to the designed landscape of the estate. PPG 15 states that "planning authorities should protect registered parks and gardens in preparing development plans and determining planning applications" and the effect on the setting of a registered park or garden is a material consideration. The Garden History Society considers the development as "over-intensive and the scale, massing and design would not preserve or enhance the historic landscape and is totally inappropriate within a historic landscape of Wardour Castle" and recommend refusal. Despite strong objections to the previous proposal English Heritage have decided to make no representations to the current scheme stating that the case should be determined in accordance with government guidance and development plan policies. Although the property has been considerably extended in the past the existing extensions are subservient to the original building allowing the lodge still to be seen as a "lodge" whereas the proposed development will overwhelm the original structure and present a larger built form in the landscape. The proposed extension is judged to be out of context with the surrounding area affecting the character of the historic landscape. The proposal is thereby contrary to policy CN18 of the Adopted SDLP and HE3 of the Wiltshire Structure Plan as it is judged to adversely affect the Historic Park and Garden within which is located.

The proposal is considered contrary to policies C1 and C2 of the SDLP which aim to protect the rural environment only permitting development where it will clearly enhance the rural setting. It is also considered contrary to policies C4 and C5 as there will be no social or economic benefits to the AONB from the proposal and the scale, materials and style of architecture do not compliment the character of the area. The agent states that the dwelling will largely be hidden by the lie of the land but it is proposed to remove a number of trees from the site and by virtue of the increased size and height of the extension it will be more visible in the wider area than the existing property.

Impact on Footpath

The blocking of the track by cars or construction vehicles and any potential damage caused by then is not a valid material planning consideration and cannot be controlled by condition. However, physically blocking a public right of way with a motorised vehicle and the depositing of materials on the public footpath are offences under the 1980 Highways Act.

Impact on Drainage

The application form indicates that foul drainage will be disposed of by septic tank but there is insufficient information that the current system will withstand the addition of the new facilities which itself is a reason for refusal. Although the agent has pointed out that the same family will live here with a much larger property containing 6 bathrooms there is potential for much higher occupancy in the future.

CONCLUSION

The proposal is considered contrary to local and national policy in terms of overdevelopment of the existing dwelling, the detrimental impact on the AONB and Grade II* Historic Park of Wardour and the lack of information submitted with regard to drainage. Therefore refusal is recommended.

RECOMMENDATION: REFUSE for the following reasons:

(1) The proposal would be significantly larger in size than the existing dwelling, would have greater visual impact and would effectively constitute a new dwelling in the countryside. It would not be subservient to the existing lodge and would substantially alter the character of the dwelling and is not considered in keeping with its surroundings. The proposal is therefore contrary to policy H31 of the Adopted SDLP and PPS 7.

(2) The site is located within the open countryside of the designated Cranborne Chase & West Wiltshire Downs AONB. The proposal would not protect or enhance the natural beauty of the area and would not benefit the local economy. In addition it would not be sympathetic to the landscape of the AONB in terms of siting and scale and the proposed design does not reflect the character of the area. The proposal is therefore contrary to policies C1, C2, C4 and C5 of the Adopted SDLP, C8 of the Wiltshire Structure Plan and PPS 7.

(3) The design of the proposed house would subsume the existing lodge, which although unlisted is an integral feature of the historic landscape of the Grade II* Wardour park and it is therefore contrary to policy CN18 of the Adopted SDLP, HE3 of the Wiltshire Structure Plan and PPG15.

(4) There are no mains sewers available in the locality and it has not been demonstrated to the satisfaction of the LPA that a satisfactory method of foul drainage can be achieved within the site. The proposal is therefore contrary to Policy G2 of the Adopted SDLP and the advice in circular 3/99.

This decision has been made with regard to the following policies:

Adopted Salisbury District Local Plan:

Policy G1	General Development Guidance
Policy G2	General Development Guidance
Policy C1	Development within the Rural Environment
Policy C2	Development within the Rural Environment
Policy C4	Development within an AONB
Policy C5	Development within an AONB
Policy H31	Extensions to Buildings within the Countryside
Policy CN18	Development within Historic Parks and Gardens

Wiltshire Structure Plan:

Policy HE3	Development within Registered Historic Parks and Gardens
Policy C8	Development within an AONB

NOTES:

S/2005/258	10/02/2005	07/04/2005	MR AND MRS A SMITH
ZEAL	ZEA		BONHAM DESIGN ARCHITECTS
Easting: 378072.725104898	Northing: 131669.000994444		

PROPOSAL:	O/L APPLICATION -DETACHED BUNGALOW
LOCATION:	LADY CROFT PORTNELLS LANE ZEALS WARMINSTER BA126PG

REASON FOR REPORT TO MEMBERS

Councillor Mrs Spencer has requested that this item be determined by Committee due to: the interest shown in the application

SITE AND ITS SURROUNDINGS

This application relates to works within the grounds of Ladycroft, Portnalls Lane one of two dwellings built within the grounds of the Old Rectory. The site is located within the Conservation Area of Zeals partly within the AONB and partly within the Special Landscape Area.

THE PROPOSAL

Permission is sought for outline development for a new dwelling to the south of the existing dwelling on a plot of 780m² fronting onto Tulse Hill. No details of siting, design, external appearance, or landscaping have been included for approval at this stage but an indicative plan showing a bungalow and garage has been included.

PLANNING HISTORY

2004/2257 Outline Development for a detached bungalow R 25/11/04

CONSULTATIONS

WCC Highways - No Objection subject to conditions
 Wessex Water Authority - No Objection
 Environment Agency - No Objection
 Arboricultural Officer - Objects on grounds of inadequate provision for retention of protected trees on site.

REPRESENTATIONS

Advertisement Yes Expired 17/03/05
 Site Notice displayed Yes Expired 17/03/05
 Departure No
 Neighbour notification Yes Expired 07/03/05
 Third Party responses No
 Parish Council response Yes No Objection

MAIN ISSUES

Principle of Development
Impact on Trees

POLICY CONTEXT

Adopted SDLP G2, HI6, C4, C5, C6, CN8, CN10, CN11

PLANNING CONSIDERATIONS

Principle of Development

Ladycroft is located within the identified Housing Policy Boundary of Zeals, which accepts the principle of housing development subject to various criterion.

The previous application was refused due to the cramped nature of the site, which was judged to out of keeping with the surrounding development and consequently detrimental to the surrounding landscape and Conservation Area. In addition it was considered that the proposed dwelling would be likely to have an adverse impact on the residential amenity of nearby properties.

Negotiations took place between this and the last application, and the LPA requested that the garage should be relocated to afford adequate protection to the tree, the access amended in accordance with the guidance provided by WCC Highways and the property reduced to single storey.

This new application shows the access to conform with Highway guidance and an indication that the property will be single storey and not a chalet bungalow. In addition the site has been increased from 650m² to 780m² so on balance it is considered to overcome the previous objections on siting and neighbour amenity.

Impact on Trees

The submitted plans show that garage has not been moved in accordance with recommendations. Although the details of siting are only indicative and do not form part of the application the two semi-mature sycamore trees situated to the front of the property are threatened by the proposal as it would not possible to retain the trees and build the scheme as shown.

The architect has moved the garage away from the canopy spread of the nearest tree but this is not considered acceptable in this case. As the tree is so tall it would be more appropriate to use the relevant British Standard which would require a protection zone of half the height of the tree plus space for future growth. If this method is used the site of the garage is clearly located within the tree protection zone which would cause damage to tree roots. No information has been provided as to how the foundations of the garage would be built but standard strip foundations this close to the tree would be detrimental to the tree health.

The cross section provided shows that the existing levels on the site will be lowered between 1m and 1.5 metres to facilitate the proposal. As the bank on the roadside of Tulse Hill currently limits root growth from both sycamores towards the road the majority of the root systems of both trees will be within the top 600mm of the current garden. A reduction in levels of the amount proposed would therefore result in the severing of a large proportion of the root systems and make the trees unsafe. In turn if the current levels of the garden remain this could have an impact on residential amenity, as the dwelling will be located on higher ground.

The pea shingle driveway is shown to be located directly under the canopy of one of the sycamore trees (approximately 1.5 metres from the trunk) and no information has been provided to show how any sub-base will be formed for this. Without a sufficient base the shingle is likely to rut and cause compaction to the tree roots but if a base was provided levels would be required to be dropped which would be detrimental to tree health.

CONCLUSION

The concerns regarding the cramped plot size and impact on neighbour amenity have been overcome since the last application. However, insufficient information has been provided to demonstrate that the trees on the site, which are considered to have significant amenity value and worthy of retention would be adequately protected and a full application would be required to demonstrate this sufficiently. Therefore the proposal is considered contrary to policy G2 of the Adopted SDLP and refusal is recommended.

RECOMMENDATION: REFUSE for the following reasons:

(1) Insufficient information has been provided to demonstrate that the two sycamore trees on the site, which are considered to have significant amenity value and make a positive contribution to the Zeals Conservation Area, could be adequately protected, retained and not be adversely affected by the proposed development. Therefore the proposal is contrary to policies G2, CN8 of the Adopted SDLP.

(2) The proposal is contrary to policy R2 of the adopted Salisbury District Local Plan in that it makes no provision towards off site recreational open space.

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

- Policy G2 General Development Guidance
- Policy C4 Development within the AONB
- Policy C5 Development within the AONB
- Policy C6 Development within the Special Landscape Area
- Policy CN8 Development within a Conservation Area
- Policy CN10 Development within a Conservation Area
- Policy CN11 Development within a Conservation Area
- Policy HI6 Development within a Housing Policy Boundary

INFORMATIVE: - R2 FOR REFUSAL

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

NOTES:

REPRESENTATIONS

Advertisement No
Site Notice displayed No
Departure No
Neighbour notification Yes
Third Party responses Yes – Adjoining neighbour wrote in with various concerns including:
1/ Access to drainage once extension is built.
2/ Maintenance to boundary fence.
3/ Guttering appearing to overhang neighbour’s garden.
4/ Maintenance of side of neighbour’s house.
Parish Council response Yes – No objections

MAIN ISSUES

The appearance of the extension in relation to the house and the immediate environment.
The impact to the adjacent neighbour’s properties and their amenities.

POLICY CONTEXT

The house is within the AONB. Within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty small scale development proposals will only be permitted where they are in accordance with the policies of this Local Plan and provided that:

- (i) the siting and scale of development are sympathetic with the landscape of the AONB in general and of the particular locality; and
- (ii) standards of landscaping and design are high, using materials which are appropriate to the locality and reflect the character of the area.

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

Policy G2 ensures that developments do not significantly affect neighbour amenity.

These are the principal policies to which this application will be judged against.

PLANNING CONSIDERATIONS

Visual Appearance of the extension

The proposed extension is a single storey extension from the rear of the house. It has a pitched roof with a hipped end. There is a window in the end elevation and two small windows to the side elevation. The proposed materials to be used are all set to match the existing house, and therefore will appear a sympathetic addition to the house. Its size is of such a scale that is suitable and subservient to the existing house, and will not be too dominant. Overall, the visual appearance of the proposed extension is such that it fits in with the local environment and is of a suitable scale.

Impact upon neighbour's amenities.

The proposed extension will sit immediately next to the boundary with I Manor Terrace. Amended plans are awaited to reduce back the eaves from their original position as they overhung the neighbour's garden on the original plan. There will be no windows in the side elevation looking into the garden of I Manor Terrace, though there is a high fence that would block out any view in any case. With the extension being just at one storey level in height, there should only be minimal overshadowing created by the extension. Overall, despite being so close to the boundary with I Manor Terrace there should not be any significant detrimental impact to the adjoining neighbour's amenities.

CONCLUSION

The extension is of a suitable design and scale to be acceptable, with matching materials proposed. There has been a recent application for an extension approved at I Manor Terrace which is currently being constructed, and therefore extensions to the rear of the terrace are inkeeping with the character of the area. The amended plans, when received, should resolve the issue with the extension overhanging the neighbour's garden, and then there should be no significant detrimental impact to neighbour's amenities.

RECOMMENDATION: **Subject to receipt of satisfactory amended plans - APPROVE :**

for the following reasons:

The proposed extension is appropriate in terms of appearance and scale in relation to the house and the immediate environment and will not have an adverse impact upon residential amenity.

And subject to the following conditions:

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

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

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

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

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

- Policy C5 Purpose: Conservation and protection of the Area of Outstanding Natural Beauty.
- Policy D3 Purpose: To ensure a suitable design.
- Policy G2 Purpose: To safeguard the amenities of neighbours.

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/2004/2628	08/12/2004	02/02/2005	MR AND MRS W EDWARD
TISB			DALBY REEVE
Easting: 393923.2	Northing: 127013.9		

PROPOSAL:	FULL APPLICATION -DEMOLITION OF EXISTING DWELLING & EXTENSIONS AND ALTERATIONS TO SAWMILLS BUILDING TO FORM REPLACEMENT DWELLING
LOCATION:	SAWMILLS WARDOUR TISBURY SALISBURY SP3 6RJ

REASON FOR REPORT TO MEMBERS

The application was considered at the Western Area Committee on the 3rd February 2005, where members resolved to grant planning permission subject to conditions. However the decision notice has not been issued.

An additional issue has been raised before the advertisement expiry date with regards to protected species on the site, requiring the item to be returned to WAC for consideration.

SITE AND ITS SURROUNDINGS

Sawmills consists of a detached residential dwelling and outbuildings within open countryside and the Cranborne Chase and West Wiltshire Downs AONB. The site is sloping, rising to the south, with the dwelling located in a higher position to the outbuildings, which are set further below the level of the road. There is open countryside to the north, woodland to the south, and residential dwellings to the south, (Terrace Lodge), east (Highwood Lodge) and west (Grove Cottage and Farm).

THE PROPOSAL

It is proposed to demolish the existing dwelling and timber outbuilding on the site and convert, extend and alter the main former sawmills outbuilding to form a replacement dwelling.

PLANNING HISTORY

1985/1390 Extensions and alterations AC 02.12.85
 1994/1024 Conservatory AC 02.09.94
 1995/1330 Replacement outbuilding A 03.04.97
 2004/1261 Demolition of one dwelling and development of annex accommodation into dwelling Withdrawn 23.07.04

CONSULTATIONS

WCC Highways- On the basis that this is a replacement dwelling and unlikely to generate an increase in traffic over that generated by the present site, I would not wish to raise a highway objection to it. I note however that the proposed replacement dwelling doesn't include details of on-site parking provision. The applicant should provide a plan showing the proposed parking area.

Wiltshire & Swindon Biological Records Centre- Protected species may be present on the site or nearby and therefore could be impacted by the above planning application. PPG9 states that 'The presence of a protected species is a material consideration when a local planning authority is considering a development proposal, which, if carried out, would be likely to result in harm to the species or its habitat.

Wessex Water Authority - The above proposal is not located within a Wessex Water sewered area. It is advised that your Council should be satisfied with any arrangement for the disposal of foul and surface water flows generated by the development. It is recommended that the developer should agree with Wessex Water prior to the commencement of any works on site.

Environment Agency – The applicant proposes use of non-mains drainage. If a new septic tank/treatment plant or if there is any increase in effluent volume into an existing system, a Discharge Consent will be required. This should be obtained from the Environment Agency before any discharge occurs and should be obtained before any development commences. The applicant is advised to contact the Regulatory Water Quality Team at this office for further details on Consents to Discharge.

REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes, expiry date 06.01.05
Departure	No
Neighbour notification	Yes, expiry date 26.01.05
Third Party responses	Yes, 3 letters of support summarised as follows.

The proposal will not detract from and will enhance the natural beauty of the AONB
Sympathetic approach, considering impact to local countryside and environment
Replacement dwelling will fit neatly into the site and natural fall of the land
Will be a visual improvement to the existing dwelling, to be demolished
The existing dwelling is in a prominent position and has been extended with materials and colours not suitable to the prominent siting and area and suburban design not appropriate to countryside
Proposed building materials will blend in following weathering
There will be no interference with other residents views

One letter of objection summarised as follows;

The history of Old Wardour Settlement gives some indication as to the special nature of the area

Dwellings in the area were built to service Wardour Castle Estate

Old Wardour has remained almost intact, except for the new property built c1964 on part of Grove Cottage land. A wooden pavilion known as Fox Farm was built on the high ground to the rear of High Wood Lane, but in the main, improvements to the original dwellings have been in keeping with tradition and have proved acceptable

Planning permission was given to refurbish the estate sawmill on the site subject to the proviso that the new building would not be considered a substantial part of the adjacent dwelling and would provide strictly limited accommodation. The replacement sawmill building was virtually in the form of the old and thus retained a historical association with the sawmill.

The Sawmill was used to fashion new ships timbers, which had been damaged in naval warfare during the 16th century.

Original ship timbers form the roof timbers in neighbouring Grove Cottage.

The proposed destruction of the Old Sawmill (although as a refurbished structure) will sever the historical link

In addition to the above third party representations, a second letter of objection was received on the 4th March 2005, summarised as follows;

Concern that a petition of objection to the application will not be taken into consideration
Impact on visual quality of Wardour that needs to be preserved for future generations.

(The objector has been advised that the application is due to be reconsidered by the Western Area Committee on the 31st March 2005 and that any additional representations or consultation responses that are received between the compilation of the agenda and the date of the meeting will be reported as late correspondence)

Parish Council response Yes, Support

MAIN ISSUES

Principle

Scale, design, siting, Impact on residential amenity and landscape

Protected species

Drainage

POLICY CONTEXT

Adopted SDLP Policies G2 (General), G5 (Drainage), D3 (design), C5 (AONB), H30 (Replacement dwellings in the countryside), C24 (extensions in open countryside), C12 (Protected species)

PLANNING CONSIDERATIONS

Principle

Planning permission was granted for the redevelopment of former sawmills buildings under 1995/1330. The approval was subject to conditions restricting the use of the building for private and domestic purposes incidental to the associated dwelling and that no further rooms would be converted to habitable rooms unless otherwise agreed following the submission of a planning application. The consent was also subject to a Section 106 Agreement dated 23rd April 1997 preventing the structure being sold or let separately to the associated dwelling.

The principle issue in this application relates to Policy H30 of the Adopted SDLP and whether the replacement dwelling accords with the criteria set out in this policy.

Policy H30 states that the replacement of an existing dwelling in the countryside will normally be permitted provided that:

the proposed replacement dwelling is not significantly larger than the existing dwelling and has no greater impact than the existing dwelling;

the design of the new dwelling is of a high standard and is appropriate to the rural surroundings;

the siting of the replacement dwelling is closely related to that of the existing;

current parking and access standards can be met; and

the existing dwelling has not been abandoned.

The proposal is considered to accord with criteria iv) and v) in that the dwelling is habitable and remains in occupation and there have been no objections to the access and parking arrangements from WCC Highways. The remaining criteria are addressed below.

Scale, siting, design, impact on residential amenity and surrounding landscape

The proposed replacement dwelling will mainly form an extension and alterations to the former sawmills building and demolition of a timber shed. The existing house will be demolished.

Criteria i) and iii) of policy H30 states that replacement dwellings should not be significantly larger than the existing dwelling and the siting should be closely related to that of the existing. The proposed dwelling is larger than the existing in terms of footprint. However, the majority of the replacement dwelling is single storey. It will be extended to the north east with a first floor added through increasing the ridge height by 1.5m for a 7.9m section (as scaled from the submitted plans) and adding windows to the north roof slope. Additional single storey accommodation will be added to the south east (rear) elevation of the building, on the lower level land to the road above. A green sandstone plinth is proposed to the new building works, and the existing and new walls clad in cedar wood and roof in natural slate.

The existing house and outbuildings are visible across the valley when viewed from the north. However, it is considered that the revised siting of the replacement dwelling, is considered to benefit visual amenity, occupying a lower, less prominent position, with a backdrop of mature trees. It is also considered that the design, which is more agricultural and less domestic in appearance, than the original dwelling, (which has more of a suburban appearance), is in the spirit of the original sawmill building and more appropriate to the high quality landscape of the AONB and overall character of the countryside, in accordance with criteria ii) of policy H30.

Protected species

A protected species survey of the wooden shed to be demolished was conducted on 12th January 2005, at which no bats or signs of the presence of bats or bat roosts was found. The survey noted that although no evidence of bat roosts was found, care ought to be taken when working on the building as bats may be present in a building without leaving any sign of their presence. A condition was recommended stating in the event that protected species or evidence of their presence is found during development, work is stopped and English Nature informed.

The survey conducted on 12th January did not survey the main Sawmills building or the existing Sawmills Cottage. It has come to light that a protected species survey conducted in 1995 found a bat roost in the main sawmills outbuilding. In light of this information, the applicant has been requested to undertake a bat survey on the other buildings on the site. In the event that a roost or evidence of a roost is found, amended/additional conditions are recommended to safeguard the protected species and provide compensatory works to mitigate the loss of the bat roost.

Drainage

The applicants propose to connect to an existing septic tank on the site. The site is not located within a Wessex Water Sewered Area, where otherwise connection would be required to be to mains drainage in accordance with Circular 3/99. As the site is located outside of a water source catchment area, and is likely to have good natural drainage/flow rates being on permeable soil, it is considered reasonable to add a condition that the drainage scheme for the development will be agreed prior to any development commencing, and that the scheme so agreed should be implemented prior to the development first coming into use.

CONCLUSION

This application has been considered against the relevant policies from the Adopted Salisbury District Local Plans. The application is only considered acceptable in policy terms as a replacement dwelling. The impact on the Area of Outstanding Natural Beauty has been considered. It is considered that the revised siting is considered to have significant benefits to the AONB and the proposed, scale, design and materials are considered appropriate to the surroundings.

RECOMMENDATION:

Subject to a satisfactory bat survey being carried out on the sawmills building and existing cottage and no evidence being found that would preclude the development proposed;-

APPROVE: for the following reasons

The application is acceptable in policy terms as a replacement dwelling. It is considered that the revised siting is considered to have significant benefits to the AONB and the proposed, scale, design and materials are considered appropriate to the surroundings.

And subject to the following conditions

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

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

(2) This development shall be in accordance with the amended drawing[s] ref: Sawmills Parking, WE/1001/R1(A), WE/A1/1002 Revision 1 1/5/05 and WE/A1/1001 Revision 1 5/1/05, deposited with the Local Planning Authority on the 11th January 2005, unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

(3) Pre-work checks for bats shall be carried out immediately prior to the commencement of works. If any signs of bats, or bats themselves are found during the pre-work check or during the demolition, conversion and extension works hereby permitted, work should stop immediately and English Nature be contacted immediately for further advice.

Reason: To safeguard protected species.

(4) Demolition works shall take place during dates to be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard protected species

(5) Before development is commenced, details of bat features to be installed on the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be completed in accordance with the approved details.

Reason: To provide compensatory works to mitigate the loss of bat roosts.

(6) No development shall commence until a scheme for foul drainage to the development hereby approved has been submitted to and approved in writing by the LPA. The agreed scheme shall be implemented prior to the development first coming into use.

Reason: To ensure that the development will be effectively served by a sewage system

(7) No development shall take place until samples of the materials and finishes to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To secure a harmonious form of development.

(8) There shall be no occupation of the extended building hereby permitted until the existing dwelling known as 'Sawmill Cottage' has been demolished and the resultant debris has been removed from the site

Reason: Reason: In the interests of the amenity of the locality to ensure that there is only one dwelling on the site

(9) Notwithstanding the provisions of Class[es] A-E of Schedule 2 (Part 1) to the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwelling(s) nor the erection of any structures within the curtilage unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf. (V15A)

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

(10) No development shall commence until sections through and levels of the proposed parking area in relation to the surrounding landform have been submitted to and approved in writing by the Local Planning Authority. Development shall be completed in accordance with the approved details.

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

(11) No development shall commence until details of the landscaping to the proposed parking area have been submitted to and approved in writing by the Local Planning Authority. The details shall include size, species and positions of all plants/trees to be planted. Development shall be completed in accordance with the approved details.

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

(12) 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 extended building, 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.

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

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

G2 (General), G5 (Drainage), D3 (design), C5 (AONB), H30 (Replacement dwellings in the countryside), C24 (extensions in open countryside), C12 (Protected species)

INFORMATIVE:- Wessex Water

It is recommended that the developer should agree with Wessex Water prior to the commencement of any works on site.

INFORMATIVE: - PROTECTED SPECIES

Both national and European Union law protects bat and bat roosts. The law requires that, in the event that bats or evidence of their presence (eg droppings) are found during development works, work is stopped and English Nature is informed (01380 726 344).

A DEFRA licence will be necessary in order to carry out work affecting bats and their roosts. A Method Statement should be drawn up by a bat ecologist as part of the licence application. DEFRA currently requires 30 working days to process licence applications.

National law protects barn owls and because it is a vulnerable, rare species its protection is beyond that given to other nesting birds. It is an offence to intentionally or recklessly disturb them while they are building a nest or are in, on or near a nest containing eggs or young or to disturb dependent young. Therefore, if breeding barn owls are subsequently discovered close enough to be disturbed by the proposed work, we recommend that English Nature be consulted immediately.

INFORMATIVE: - Environment Agency

If a new septic tank/treatment plant is the only feasible option for the disposal of foul water, or if there is an increase into an existing system, a Consent to discharge will be required. This must be obtained from the EA before any discharge occurs and should be obtained before any development commences. The applicant is advised to contact the Regulatory Water Quality Team at the Blandford Office on 01258 483 370 for further details on Consents to Discharge.

NOTES: