

LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING COMMITTEE
WESTERN AREA – 23-06-05

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 & COUN-CILLORS	NOTES
1	SV S / 2005 / 810 Mr O Marigold	MR K ISGAR DENGROVE FARM DONHEAD ST. ANDREW	REF	DONA	2 - 5	DONHEAD Councillor Mr Cole-Morgan	
2	SV S / 2005 / 920 Mr O Marigold	STRATTON MANAGEMENT SERVICES WITHYSLADE FARM TISBURY ROW TISBURY	REF	TISB	6 - 8	TISBURY & FOVANT Councillor Mrs Green Councillor Mr Hooper	
3	SV S / 2005 / 824 Mr A Madge	MR MARTIN GREEN GREENLANDS FARM SUTTON MANDEVILLE	A106	SUTT	9 - 16	TISBURY & FOVANT Councillor Mrs Green Councillor Mr Hooper	
4	S / 2005 / 885 Mrs E Milton	MRS S WILLAN BRIDGES TEFFONT EVIAS	APPC	TEFF	17 - 18	FONTHILL & NADDER Councillor Mrs Willan	
5	S / 2005 / 932 Miss A Rountree	R J LEWIS OSIER COTTAGE MILKWELL DONHEAD ST. ANDREW	APPC	DONA	19 - 21	DONHEAD Councillor Mr Cole-Morgan	

SV = Site Visit for Members

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

4. Outline application – erection of agricultural worker’s dwelling, Approved with Conditions on 19th August 1992 (S/1992/0734)
5. Approval of reserved matters for erection of agricultural worker’s dwelling, Approved with Conditions on 31st March 1994 (S/1994/0106)
6. Erection of agricultural building for storage, Approved with Conditions on 4th July 1994 (S/1994/0660)
7. Extension to farm house, Approved with Conditions on 20th May 1997 (S/1997/534)
8. Erection of farm office and rest room, Withdrawn on 11th May 2004 (S/2004/547)

CONSULTATIONS

None

REPRESENTATIONS

Advertisement	Yes	expired 26/05/05
Site Notice displayed	Yes	expired 26/05/05
Departure	No	
Neighbour notification	Yes	expired 16/05/05
Third Party responses	No	
Parish Council response	Yes	Support

MAIN ISSUES

Impact on character and appearance of the countryside and AONB

POLICY CONTEXT

- C1 Development in the countryside
- C2 Development in the countryside
- C4 Development in the AONB
- C5 Development in the AONB
- C20 Agricultural Development

PLANNING CONSIDERATIONS

As a general rule, the Local Planning Authority wishes to limit the proliferation of buildings in the countryside, because of the additional physical impact of such buildings, and because of the precedent that is set by allowing new buildings of a size similar to this in the countryside, without good justification.

Policy C20 does allow for agricultural buildings, provided that they are *essential* for agricultural purposes and (amongst other things) are directly related to a nearby holding or group of buildings. The applicants have argued that the office accommodation is essential because of limited space within the dwelling, the need for higher standards of accommodation for farm workers and because of a need for additional storage.

It is understood that the storage of a fridge/freezer, computer parts and milk recording equipment, identified as the justification for the storage element of the building, currently takes place either in the farmhouse or in other buildings. It is further argued that additional enhanced accommodation is needed for the workers on the site, and the applicants have submitted a schedule of building on the farm, showing that the existing buildings are fully utilised (although this does not include any dwellings associated with the farm).

A caravan currently provides accommodation for two farm workers, identified as requiring enhanced facilities. The applicants argue that such accommodation is unsuitable given that one worker lives in Charlton and the other in Warminster, with a third worker living in one of the dwellings associated with the farm.

In addition to the farmhouse, however, the farm complex includes three agricultural dwellings - Golden Acres (occupied by the applicant's brother), Dengrove View (occupied by the applicant's mother) and Riverside (occupied by one of the workers). All three dwellings have agricultural occupancy conditions, and the closest dwelling to the farm itself, Riverside, includes shower and office accommodation. Conversely, it is believed that the current main farmhouse does not have an agricultural occupancy condition.

All of these dwellings remain in the ownership of the applicant, and the three agricultural dwellings were only permitted on the basis of providing accommodation for workers on the site, essentially to provide the some of the facilities now desired by the applicant for farm workers.

Furthermore, office provision already exists within the extended main farmhouse, and the applicants have accepted (at least 'in theory') that an extension could be made to the dwelling to provide the office accommodation. Although the dwelling is relatively close to its boundaries on the south western side, there is no reason why the main farmhouse could not be extended to the north, east or south to provide accommodation, at least for the office and storage facilities, if not for the workers' accommodation as well. This would limit the amount of development needed (because it could be combined with the existing office accommodation), and would mean that the development would take place further within the site, limiting its visual impact.

The applicants have argued that an extension would not be visually compatible with the dwelling's appearance, but the dwelling is not listed and has been extended in the past. It is considered that extensions could be provided that would not harm its appearance. The applicants have also argued that, from a farm management and bio-security point of view, it is better that visitors and representatives do not enter the main farmyard. But an extension to the main farmhouse would allow visitors etc to enter via the dwelling's main driveway, not via the farmyard, thereby ensuring that bio-security is maintained.

The applicants have also submitted a landscape and visual assessment arguing that the building would be viewed as part of the complex of buildings at the farm, the fact remains that the building would be located in a relatively prominent position, to the front of the holding and visible from the adjacent footpath.

The provision of a detached building makes it more likely that the building could be severed from the rest of the farm in the future, should the additional accommodation prove to be unnecessary (for example if one or more of the agricultural dwellings not currently occupied by farm workers became available).

Furthermore, the building has a domestic appearance, because of its form and design, in particular the window and door details. In addition, only a relatively narrow staircase, or narrow first floor opening, provide access to the storage accommodation above, limiting the usefulness and scope of this area. Finally, the materials (brick) are not reflective of the prevailing stone nature of the farm complex, particularly the main farmhouse itself.

In light of these factors, officers remain unconvinced that there is an *essential* justification for a detached building of the size and height proposed, or that the proposal has been suitably designed bearing in mind the agricultural use proposed. Therefore, the erection of the building would conflict with policy C20, as well as policies C1, C2, C4 and C5.

CONCLUSION

The arguments made by the applicant are not considered to be sufficient to justify and overcome the harm of a relatively large additional detached building in the countryside, for accommodation that could be provided in a less visible way, and for accommodation that has not been designed in a manner suitable for its proposed agricultural use. The proposal would therefore conflict with policies C1, C2, C4, C5 and C20 of the Replacement Salisbury District Local plan

RECOMMENDATION: REFUSE for the following reasons:

(1) The proposed building, by reason of its siting and excessive size and height, would result in additional physical impact, harming the character and appearance of the countryside and failing to maintain the natural beauty of the AONB. In this respect it would be contrary to policies C1, C2, C4, C5 and C20 of the Replacement Salisbury District Local Plan.

(2) The proposed building, because of its domestic appearance, form and materials has not been designed in a manner reasonably necessary for the purposes of agriculture. It would therefore be contrary to policies C1, C2, C4, C5 and C20 of the Replacement Salisbury District Local Plan.

NOTES:

S/2005/920	09/05/2005	04/07/2005	STRATTON MANAGEMENT SERVICES
TISB			ITL ASSOCIATES
Easting: 395926.386230052	Northing: 128180.150886893		

PROPOSAL:	FULL APPLICATION -FORMATION OF 3NO HOLIDAY FLATS IN REDUNDANT FARM BUILDING
LOCATION:	WITHYSLADE FARM TISBURY ROW TISBURY SALISBURY SP3 6RZ

REASON FOR REPORT TO MEMBERS

Councillor Hooper has asked that the application be heard at committee because of local interest

SITE AND ITS SURROUNDINGS

The site lies in the open countryside and within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural beauty. The site consists of a Wythyslade Farm, including associated buildings. The building proposed for conversion is a traditional stone farm building, roofed in clay tiles.

THE PROPOSAL

The application proposes the conversion of the building into three, two-bedroom units of holiday accommodation.

PLANNING HISTORY

None of direct relevance to this application.

CONSULTATIONS

Highway Authority	– no objection
English Nature	– protected species are a material consideration
Biological Records Centre	- protected species are a material consideration
Environmental Health	– no observations

REPRESENTATIONS

Advertisement	Yes	Expired 09/06/05
Site Notice displayed	Yes	Expired 09/06/05
Departure	No	
Neighbour notification	Yes	Expired 09/06/05
Third Party responses	No	
Parish Council response	Yes	Support

MAIN ISSUES

Impact on character and appearance of the countryside and AONB, having regard to the Council's policies for the conversion of redundant agricultural buildings.
Impact on protected species

POLICY CONTEXT

C22 Conversion of buildings in the countryside
T6 Tourist Accommodation
C12 Protected species

PLANNING CONSIDERATIONS

Impact on the countryside and AONB

The application proposes the conversion of part of these agricultural buildings into three units of holiday accommodation. In principle, the Local Plan supports such changes of use, subject to the criteria set out principally in policy C22. In particular, criteria (iii) requires that *'the building...can be adapted without detriment to its external appearance or harming its setting'*.

In addition, the Council's Conservation Section have produced guidance on the conversion of farm buildings in the countryside, to help ensure that barn conversions are undertaken in a sympathetic and successful way. This guidance makes clear that existing original window and door openings should be utilized where possible, but that new openings should only be accepted where absolutely necessary, and where they respect the character of the building.

This particular proposal would involve the re-use of existing openings, but it also proposes the creation of a large number of new openings. In fact there are 10 openings on the existing building, whereas the proposed conversion would have 22 openings – more than double the number of current openings. Furthermore, many of the first floor openings do not have the appearance of traditional barn windows but consist of high-level windows. This level of alteration results in a building with an overly-domesticated appearance, harming its external appearance and the building's setting, contrary to policy C22.

It is recognised that, although Bridleway 27 runs to the south and east of the site, the building is within a complex of farm buildings, and is not therefore prominently visible from public viewpoint. This does not mean, however, that the Local Planning Authority should disregard the standard of building conservation, particularly within the AONB. Lack of prominence is an argument that could be repeated too often in similar situations throughout the District, and would ignore and dilute the clear aim of policy C22 to ensure a high standard of design.

Impact on Protected Species

The applicants have submitted a protected species survey, showing that the building has potential as a habitat for bats and recommending that work commences outside of the hibernation period (November to March). The survey also shows that nesting birds are present on site, and recommends that conversion work is avoided during the main breeding season (March to August). Ensuring that work takes place only during these limited remaining period (August to November) could be controlled by condition, as could the provision of a nest box which the ecologist considers necessary.

Other matters

The Highway Authority have raised no objection to the proposed development. It is not, therefore, considered that the proposal would impact adversely on highway safety.

CONCLUSION

While the proposed conversion would be undertaken without harming protected species and is not unacceptable in principle, the proposal would result in the building having a significant number of openings, giving it an overtly domestic appearance, harming the building's appearance and setting and failing to reflect its sensitive location.

RECOMMENDATION: REFUSE for the following reasons:

The building lies within the open countryside and the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty, where the conversion of buildings will only be permitted where the building can be adapted without detriment to its external appearance or harm to its setting. The proposed conversion, in that it would involve the creation of a significant number of new openings in the building that do not reflect the character of the building, would harm its external appearance and setting, contrary to Policy C22 of the Replacement Salisbury District Local Plan.

NOTES:

Part 2

Applications recommended for Approval

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

Proposal
Location

3 **Case Officer** **Contact No** **3**
Mr A Madge **01722 434541**

S/2005/824	22/04/2005	17/06/2005	MR MARTIN GREEN
SUTT			PHILIP POLLARD
Easting: 398451.9896698	Northing: 127921.516752243		

PROPOSAL:	FULL APPLICATION -CONSTRUCTION OF AGRICULTURAL WORKERS DWELLING
LOCATION:	GREENLANDS FARM SUTTON MANDEVILLE SALISBURY SP3 5NL

REASON FOR REPORT TO MEMBERS

The application is made on behalf of Mr M Green who is the husband of Councillor Mrs Green.

SITE AND ITS SURROUNDINGS

The site is Greenlands farm which lies to the North and South of the A30 between the settlements of Fovant and Sutton Mandeville. The proposed siting of the new agricultural dwelling is to the north of the A30 and to the western side of a number of existing agricultural buildings in an area otherwise characterised by open fields and farm land. To the east is another area of buildings known as Manor Farm whilst to the south of the A30 is the original farmhouse which now lies in separate ownership.

THE PROPOSAL

The proposal is to build a new three bedroom dwelling close to the western side of the existing farm buildings in order to serve as an agricultural workers dwelling for a farm worker to be available at the site to look after the livestock that are currently housed there. The new dwelling will take the form of a Chalet bungalow with dormers in the roof of an otherwise single storey structure. Access is to be provided from the existing entrance into the site.

PLANNING HISTORY

97/0321 Erection of a farmhouse and garage Refused 3/7/97

CONSULTATIONS

WCC Highways - No highway objection only if justifiable on agricultural grounds otherwise I recommend refusal on the grounds that the proposal is contrary to the advice given in PPG13 and fails to meet the commitments to the Government's sustainable Development Strategy as set out in PPG 13: to reduce the need to travel, influence the rate of traffic growth and reduce the environmental impact of transport overall.

The proposed development is likely to generate an increase in pedestrian traffic on a highway lacking adequate footways with consequent additional hazards to all users of the road.

Wessex Water Authority - The above proposal is not located within a Wessex Water Sewered area. The developer has indicated that the disposal of foul drainage will be to septic tank. The developer has proposed to dispose of surface water to 'soakaways'. 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. Turning to water supply, there is a water main in the vicinity of the proposal. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory supply of water for the proposal. This can be agreed at the detailed design stage.

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 (private) drainage facilities. However if the site is located within an area that is served by a public sewer, according to circular 3/99, connection should be made to the public sewer in preference to private drainage options unless the applicant can provide good reason why such a connection is not feasible. The advice of circular 3/99 has, in this respect, been supported by the planning inspectorate. If a new septic tank/ treatment plant is the only feasible option for the disposal of foul water 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.

For information, this process can take up to four months to complete and no guarantee can be given regarding the eventual outcome of any application until all investigations associated with the determination have been completed and an evaluation of the proposal has been made. 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 Expires 26/05/05
Departure	No
Neighbour notification	Yes Expires 18/05/05
Third Party responses	Yes - Seven letters of Support for the application inclusive of one from the applicants wife and one from his son.

Support for the following reasons: There is a proven agricultural need for a worker on the site which meets the terms of policy H27. Mr Greens poor health makes a necessity of a new dwelling for an additional worker to oversee the current farm at the site. The proposed building would not be intrusive and as such would comply with policies C19, C20 (i) (ii), C4 and C5 of the adopted local plan. There have been occasions when cattle have escaped onto the busy A30, instances of theft and an occasion when a hay barn caught fire at the site all of these may have been avoided or more swiftly dealt with if there was a permanent presence at the site. The farm site is a viable business as it has been in the same family for four generations. There is a strong feeling that the countryside needs affordable housing for farm workers and this is a genuine opportunity to achieve this. Also considered that this proposal complies with PPG13 as it reduces the need for motorised journeys as currently the help Mr Green has, has to travel back and fourth. This proposal will provide an opportunity for regeneration and sustainability in compliance with policy C2.

In addition a letter received from the applicant's agent outlining the reasons the applicant requires this proposal, is attached as an appendix to this report.

Parish Council response Yes Sutton Mandeville Parish Council supports this application for the following reasons - The farm is medium size, profitable and an asset to the rural economy.

For proper livestock management, on site residence is desirable. The applicant is approaching retirement and suffers from a heart condition. The design of the proposed building is in keeping with the local vernacular. N.B The applicant is a parish councillor and left the PC meeting when the application was considered.

MAIN ISSUES

The agricultural need for a new dwelling
Design and impact on the countryside
Highways matters
Any other issues

POLICY CONTEXT

C2 Development in the countryside, C4 New development in the AONB, C5 Small Scale development in the AONB, C19 agricultural land, C20 Development essential for agriculture, H27 New agricultural and workers dwellings, R2 New residential development and the requirement for open space.

PLANNING CONSIDERATIONS

The agricultural need for a new dwelling

Clearly fundamental to the decision as to whether or not to grant planning permission for this development is the degree to which there is an essential need for the new agricultural workers dwelling as proposed. That is to say it needs to meet the criteria as laid out in PPS 7 and at a more local level contained within policy H27 of the adopted local plan. To this end and in order to help the local authority determine this application, the authority instructed Agricultural planning associates to assess and write a report on the functional need for a new dwelling at this farm and their report is attached as an annexe to this.

The results of this report are in effect that there is a partial need for a new dwelling at this site. This partial need arises mainly as a result of the calving season which lasts from September to October (inclusive) and from January to February (inclusive). At these times of the year there is considered to be a need to have someone permanently at the site in order to be available immediately prior, during and after the calving process. There is therefore a need for someone to be available at the site at present for at least four months of the year.

The applicant has outlined plans that he has for expanding the current business as it stands so that the amount of cattle on site will in the future increase. However the local authority has to make a decision based on the current situation at the site which requires a permanent presence for at least four months of the year. Notwithstanding this, the authority's commissioned report states that even with an increase in cattle at the site the need for someone to be permanently available on this part of the farm remains partial.

Clearly just because it is only essential to have a worker on site for four months of the year does not mean it would not be useful to have a worker on site for the rest of the year. As outlined in the representations above, there have been instances of theft at the site and of cattle getting onto the busy A30 road, it is likely that a permanent presence at the site may well deter some of these instances of theft and would more swiftly deal with the escape of Cattle. There are therefore other (albeit lesser) arguments for such a dwelling.

In terms of local policy firstly there has to be a need for an agricultural worker to be positioned on the site (as above).

Secondly that need has to relate to a full time worker and not a part time requirement. It has been demonstrated as above that there is a need for a full time worker at the site however this is not on year round basis and therefore depending on the definition used of part time, this need could be said to be only on a partial basis.

Thirdly the unit and the agricultural business have to have been established for at least three years and have been profitable for at least one of them, be financially sound and have a clear prospect of remaining so. It is accepted that the current business is financially viable and that in 2002 the business turned a profit, in 2003 this was on the threshold of viability but none the less given the long existence of the business and the fact that the applicant presently has plans for expansion there is no reason to believe the applicants business will not be viable in the future.

Fourthly there should be no other agricultural dwelling or accommodation within the area which can fulfill the need for workers. I believe that this criterion is met as there appears to be no other readily available accommodation within the vicinity.

The conclusion therefore as to whether there is an agricultural need for a new dwelling at the site must be that there is, but only on a partial basis. The proposed new dwelling would in my opinion meet most of the criteria of policy H27 of the local plan and of the guidance as set out in Planning Policy Statement Seven, with the exception of criteria (ii) where it could be argued that the need only relates to a part time requirement. Part time, in the sense that it only relates to part of the year.

Design and impact on the Countryside

The design of the dwelling is considered acceptable, whilst it is nothing special in architectural terms neither is it any way a poor design. It is considered that the relatively unobtrusive and to an extent mundane nature of the architecture will help the new dwelling blend in to the area in a more acceptable manner than perhaps a bolder architectural approach would.

One of the considerations of policy H27 of the adopted local plan which has not been covered above is that it states that *"the dwelling should be of a size commensurate with the established functional requirement of the unit"* It is considered that this particular new dwelling is by its three bedroomed nature a reasonable size of dwelling to be associated with this unit. The dwelling comprises to the ground floor a sitting room, dining room, office, kitchen, cloakroom and boot room/utility. To the upper floor it is proposed to have three bedrooms, a bathroom and an ensuite facility. The floor area of this dwelling at 130sqm is not considered unreasonable for an agricultural workers dwelling of this type.

One of the concerns of the previous application which was refused planning permission, was that the new agricultural dwelling would not be positioned close to the buildings to which it was to primarily relate. This has been addressed by the applicant in the development of this application in that the building is to be located close to the western edge of the existing buildings at the site and accessed through the site so that it is an integral part of the farm workings.

The location of this dwelling close to the other existing farm buildings also has the effect of minimising the impact on the surrounding landscape which has been designated an AONB, an area of special control and a special landscape area, as such, policies C4 and C5 seek to protect such areas and policy C5 in particular states that the siting and scale of development should be sympathetic with the landscape and AONB and of the particular locality. In this respect I believe the design of the building as a Chalet bungalow is well chosen, in that it is of a height which will reduce its impact not being two storeys and being situated close to the agricultural buildings. I would suggest it would be hard to pick a better spot in or around this farmyard in landscape terms.

Notwithstanding the above, part of policy C5 also requires very high standards of landscaping associated with any new dwellings in the AONB and therefore should members be minded to approve such an application it may be appropriate to require the submission of landscaping details by condition.

In conclusion on the design and siting of the new dwelling it is considered that this new house is positioned in one of the least harmful positions around this farmyard in terms of its impact on the AONB and that the unobtrusive design and low storey height helps further with the impact that the dwelling will have on the AONB and therefore is in this respect acceptable and complies with the relevant policies.

Highways Matters

Wiltshire's highways authority have recommended the application for refusal on sustainability grounds unless it is for use as an agricultural workers dwelling. Clearly the applicants have applied for the use of the dwelling as an agricultural workers dwelling and therefore conversely it has to be assumed that as this is the case that highways have no objection to the proposal in its current form.

Highways have however also commented that the proposed development is likely to generate an increase in pedestrian traffic on a highway lacking adequate footways with consequent additional hazards to all users of the road. Whilst this is accepted, it is considered that the amount of additional pedestrian traffic that will be generated by this proposal is minimal because of the situation of the new dwelling in the fact that there are little facilities that any occupier of this dwelling would care or need, to walk to and as such it is my opinion that additional pedestrian flow from this development is likely to be minimal.

Any Other Issues

There are two other issues that need to be discussed here, the first of these is the need or otherwise to control the existing farm dwelling which it is used to operate this farm from. At present the farm is operated from Cromwell Manor House which is located some 2.5 miles away from the site the subject of this application. Clearly if members were minded to grant planning permission for this development they would effectively be granting planning permission for a new house in the open countryside and that whilst this new building could be "tied" to the farm as an agricultural workers dwelling there would be nothing to stop the present owner moving into this building and then selling off the house he currently lives in and which he bought with land attached, such that another agricultural workers dwelling is lost in the process. It is for this reason and the fact that there is only a partial case for the need for an agricultural workers dwelling that it is recommended should members be minded to approve this application that the applicant also be required to enter into a section 106 agreement restricting the use of the applicants current house to that of an agricultural workers dwelling in order that the grant of one permission for an agricultural workers dwelling does not result in the loss of another dwelling.

The second issue is that of the council's policy R2 which requires applicants to pay a sum of money for recreational provision for new dwellings throughout the district. The applicant has confirmed that he is willing to do this and therefore this is also recommended to be dealt with under the terms of a section 106 agreement.

[Click here for appendicies](#)

CONCLUSION

In conclusion it can be seen from the above report and that included as an appendix to this that there is a partial need for an agricultural worker at this site which exists for at least four months of the year and some need for security and the looking after of sick animals at other times. In view of the fact that we cannot grant planning permission for a house on a partial basis and the fact that there is at least some need proven for a worker to be established at the site, it becomes a very balanced decision, but providing the applicant is prepared to enter into a S106 agreement securing his present property as an agricultural dwelling so that this is not lost as a result of the grant of this planning permission, it is on balance recommended that this application be approved.

It should be noted that this is a very fine judgement and this recommendation would not preclude members from taking the opposite view that as there is no proven agricultural need for someone to be on site for the whole of the year and it is merely on a partial basis there is not the

justification for a permanent dwelling when weighed against policy H27 of the local plan and the principles contained within PPS7 of central government guidance.

Nonetheless it is this officers view that given the viability of the current business the lack of other suitable accommodation in the immediate vicinity and the partial need for someone to be permanently available on the site that planning permission should be granted for this development.

RECOMMENDATION: Subject to the applicant entering into a legal agreement to be completed within three months of the committee resolution, that permanently retains the applicants existing property for agricultural use as well as the proposed property the subject of this planning application and paying a commuted sum in respect of policy R2 of the adopted local plan, that planning permission be approved (should the applicant not enter into such an agreement within three months of the committee resolution that the head of development services be delegated the power to refuse the application) -

APPROVED: for the following reasons

It is considered that there is a justifiable and quantifiable need for a permanent residential dwelling at or near this site which cannot be provided by existing accommodation elsewhere in the vicinity as such the proposal complies with the spirit of Planning Policy Statement 7 and with policy H27 of the adopted local plan.

The proposal by reason of its design, size and appearance is considered to be an acceptable dwelling which would not have a significant adverse effect on either the Area of Outstanding Natural Beauty or the Special Landscape area and as such complies with policies C2, C4 and C5 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) 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: 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 dwelling 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.

(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) 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 and also to ensure that the size of the dwelling is commensurate with the agricultural need.

(10) 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.

(11) The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants. (S01A)

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

(12) The building(s) shall not be occupied until works for the disposal of sewage have been provided on site to serve the development hereby permitted, in accordance with details to be submitted to and approved by the Local Planning Authority. (L04A)

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

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

C2 - Development in the countryside,
C4 - New development in the AONB,
C5 - Small Scale development in the AONB,
C19 - agricultural land,
C20 - Development essential for agriculture,
H27 - New agricultural and workers dwellings
R2 - New residential development and the requirement for open space.

NOTES:

S/2005/885	06/05/2005	01/07/2005	MRS S WILLAN
TEFF	TMA	II	
Easting: 398975.4	Northing: 131565.5		

PROPOSAL:	LISTED BLDG (WKS) -2 NO PITCHED ROOFLIGHTS & 1 NO FLAT ROOF SKYLIGHT
LOCATION:	BRIDGES TEFFONT EVIAS SALISBURY SP3 5RG

REASON FOR REPORT TO MEMBERS

Member application

SITE AND ITS SURROUNDINGS

Bridges is a detached 18th century Chilmark stone farmhouse with plain clay tiled roof. It was listed Grade II on 27 July 1985. The property is set back from the road and is surrounded by garden.

THE PROPOSAL

The proposals are for the replacement of two rooflights and a lantern light on the rear roofs of the property. The rear roofs are only visible within the rear garden.

It is proposed to replace the two existing unsympathetic rooflights (metal with "Georgian" wired glass) with Velux conservation type rooflights of the same size. It is also proposed to replace the existing timber and metal lantern roof light on the rear flat roof with a uPVC lantern light of the same length and width, the only difference being that it will only have an upstand of 150mm (approximately 6 inches), which is much smaller than the existing upstand.

PLANNING HISTORY

None relevant.

CONSULTATIONS

WCC Highways	- N/A
WCC Planning	- N/A
WCC Library/ Museum	- N/A
Housing & Health Officer	- N/A
Wessex Water Authority	- N/A
Environment Agency	- N/A

REPRESENTATIONS

Advertisement	Yes – Expiry 9.6.05
Site Notice displayed	Yes – Expiry 9.6.05
Departure	No
Neighbour notification	Yes – Expiry 30.5.05
Third Party responses	No
Parish Council response	None received at time of writing report.

MAIN ISSUES

The Effect Upon the Character of the Listed Building

POLICY CONTEXT

CN3 of the Salisbury District Local Plan

PLANNING CONSIDERATIONS

The proposed alterations are at the rear of the listed building, and only visible from the rear garden of Bridges. The proposals involve the direct replacement of two rooflights and a lantern light with ones of matching sizes. There would be no obvious change to the appearance of the building; although the new lantern rooflight would be uPVC rather than metal and timber, it is sited on a modern flat roof and there would be no adverse affect upon the character of the listed building.

CONCLUSION

The proposed alterations would not adversely affect the character of the listed building.

RECOMMENDATION: APPROVE: for the following reasons:

The proposed alteration would be sympathetic to the character of the listed building.

And subject to the following conditions

(1) The development for which permission is hereby granted must be commenced not later than the expiration of 5 years beginning with the date of this permission. (Z01A)

Reason: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Policy CN3 Purpose: to protect the character of listed buildings and ensure that the works do not significantly damage historic fabric.

NOTES:

S/2005/932	13/05/2005	08/07/2005	R J LEWIS
DONA			ASHLEY DESIGN ASSOCIATES
Easting: 391730	Northing: 123574.8		

PROPOSAL:	FULL APPLICATION -REPLACEMENT DWELLING - APPROVED EXTENSION (05/0421)
LOCATION:	OSIER COTTAGE MILKWELL DONHEAD ST. ANDREW SHAFTESBURY SP7 9LQ

REASON FOR REPORT TO MEMBERS

HDS does not consider it prudent to exercise delegated powers

SITE AND ITS SURROUNDINGS

This application relates to works at Osier Cottage, Milkwell, Donhead St Andrew which was a stone thatched modest sized cottage set at right angles to the road with single storey lean-to rear extension.

THE PROPOSAL

Permission is sought for a replacement dwelling which will be exactly the same in size and appearance to the original property with the extension as approved under delegated powers in February (reference S/2005/0421).

PLANNING HISTORY

2000/1156 10/08/00	Erection of A Garage	AC
2002/0955 28/06/02	Alterations & Extensions to House, Replacement of Workshop with Garage, Alteration to Existing Vehicular Access	AC
2003/2191 04/12/03	Two Storey Extension	R
2004/0258 02/04/04	Two Storey Extension	R
2004/2249 30/12/05	Two storey Extension	AC
2005/0421 13/04/05	Alterations & Extensions to Include Dormer Windows on North-east Elevation (Amendment to	AC

CONSULTATIONS

WCC Highways - Not Received at time of writing
 Wessex Water Authority- Not Received at time of writing
 Environment Agency - Not Received at time of writing
 English Nature - No Objection

REPRESENTATIONS

Advertisement	No	
Site Notice displayed	Yes	Expired 16/06/05
Departure	No	
Neighbour notification	Yes	Expired 03/06/05
Parish Council response	Yes	Concern regarding the impact on the highway
Third Party responses	Yes	4 letters of objection regarding
		<ul style="list-style-type: none">• Demolition of the existing cottage• Restrictions to traffic flow in the area• The fact that the application is retrospective

MAIN ISSUES

Principle
Scale & Design
Impact on Neighbour
Impact on Highway

POLICY CONTEXT

Adopted Salisbury District Local Plan G2, C4, C5, H19

PLANNING CONSIDERATIONS

Principle

As the original dwelling has been demolished the proposal is considered under the criterion of policy H19 which states that the proposal should not adversely impact on the character of the settlement and be in keeping with the neighbouring properties and it should not result in the loss of an important open space or features such as trees, hedging and walls.

Scale & Design

There is a long history on this site culminating in the extension approved on the site earlier this year. During construction works for this extension the original dwelling suffered structural problems and the building control inspector recommended demolition. Planning consent is not required to demolish a building, which is not listed nor located within a conservation area, although prior notification to the Local Planning Authority should be given as to the method of demolition.

The application for the extension (S/2004/2249) was approved due to its similar footprint to application S/2002/0955 for an extension, which members approved at Western Area Committee. The first application of this year (S/2005/0421) added a small dormer window to the approved extension. Although the proposed dwelling will be considerably larger than the original dwelling a precedent has been set by the previous applications. As there are no visual changes between this and the last application it is judged to have minimal impact on the character of the area and therefore comply with the criterion contained in policy H19.

Impact on Neighbour

The location of the dwelling will be some distance from the neighbouring properties and should not have a detrimental impact on their residential amenity in terms of overshadowing or loss of privacy.

Impact on Highway

The blocking of the road by cars or construction vehicles and any potential damage caused by them is not a matter for the Local Planning Authority. Obstruction of a public right of way is an offence under the 1980 Highways Act and is a matter for the Police.

CONCLUSION

Although larger than the original dwelling a precedent has been set by the approval of the extension and on that basis the proposal is judged to have minimal impact on the visual amenity of the surrounding area.

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

The proposals will have no greater impact than the existing dwelling as permitted to be extended, is appropriate to the surrounding area and will avoid unduly disturbing, interfering, conflicting with or overlooking adjoining dwellings or uses to the detriment of existing occupiers. Therefore it is considered to conform with Adopted SDLP G2, C4, C5 and H19.

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) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the proposed development 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 ensure that the external appearance of the proposed extension will relate appropriately to that of the existing building.

(3) Foul drainage shall be to the main sewer.

Reason: For the avoidance of doubt & to ensure that the building is provided with a satisfactory means of foul drainage.

(4) Notwithstanding the provisions of Classes A, B, C and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 and the Town and Country Planning Act 1990 or any subsequent re-enactment thereof, no enlargement or other alteration to the dwelling (including the insertion of additional windows, rooflights and doors) nor the erection of any other structures within the curtilage of the dwelling shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over future development in the interests of the visual amenities of the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty.

And in accordance with the following 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 H19	Development within a Housing Restraint Area

NOTES: