

Report

Report subject: S/2003/2171 & 2172 – Place Farm, Tisbury

Report to: Western Area Committee

Date: 23rd June 2005

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Report Summary

To consider the acceptability of proposed amendments to the proposal which is subject to a resolution to grant permission from the Western Area Committee.

Background:

The Western Area committee considered the application on 12th August 2004 where it was resolved that subject to all persons concerned entering into a section 106 Agreement under the provisions of the Town and Country Planning Act for

- (a) a financial contribution towards the provision of recreational facilities in accordance with Policy R2 of the adopted Salisbury District Local Plan, within one month of this permission; and;
- (b) the retention within one ownership of the Tithe Barn, the buildings to be converted, the gatehouse and Place Farmhouse
- (c) a maintenance schedule for the whole Place Farm complex.

The above application be approved for the following reasons:

The proposed redevelopment is a sensitive conversion for commercial use of agricultural farmbuildings that has the potential to enhance the setting of a

grade 1 listed building and scheduled ancient monument (the Tithe Barn). It is therefore considered to comply with policies E17 and CN6 of the adopted Salisbury District Local Plan.

and subject to conditions .

A copy of the relevant minutes are attached as [appendix 1](#) and the reports to committee at [appendix 2 and appendix 3](#).

The legal agreement has not yet been completed owing to the maintenance schedule not yet having been approved by English Heritage. Therefore there is currently no planning permission for the development and it is possible to consider amendments prior to the grant of permission, rather than by submission of an additional application for Listed Building Consent as originally envisaged.

The proposal

The proposed changes relate to the Grade II LBs and concern the internal layout of the proposed business units and changes to the proposed window designs. Also the insertion of a pedestrian access door through the end of unit 5 and the adjoining pound and link to the proposed footway. This will enable the proposed footway to the rear of unit 5 – which would have run alongside the Chilmark Road but where the levels make it difficult to achieve without impacting upon the



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listed building - to be deleted and the current grass verge remain undisturbed.

CONSULTATIONS

WCC Highways- Have verbally advised that the new pedestrian access is acceptable and as the proposed footbridge does not lie within the application site would require a condition that this be provided before occupation of the buildings.

Email - Further to our telephone conversation I confirm the points discussed include that the proposed site plan doesn't show the proposed paved footway in the correct position i.e. through the bull pen, the proposed footbridge needs to be included within an application site and all rights in respect of Public Footpath 17 must be safeguarded.

English Heritage- Awaited

ADDITIONAL REPRESENTATIONS

Parish Council- Awaited

Third Party responses – expiry date 22/06/05

Third Party Responses - Subsequent to the resolution of the Western Area Committee a letter has been received from the tenant of the land adjoining the Court Street Bridge objecting to the new footway and foot bridge over the Fonthill Brook on environmental grounds given the sensitivity of landscape and that permission should not be given without adequate provisions for pedestrians.

Planning Considerations:

Effect on Listed Building

The proposed internal changes preserve the character of the Listed Buildings and require fewer alterations than the previously (resolved to be) approved scheme.

The revised elevations are also sympathetic to the character of the buildings- the window designs being more closely allied to the existing. The exception is the end elevations of units 1 & 2 (NE and SW elevations), which are too fussy, and where it is recommended that the previously (resolved to be)approved elevations are more acceptable.

The applicant's agent has been advised of this and amended drawings are expected to reflect this advice.

The alteration to the pedestrian access has advantage in Listed building terms of removing the footpath from the exterior of unit 5 and retaining the current grass verge. Details of the gate to the pound will be required. This can be achieved via an additional condition to the Listed Building Consent.

Since the committee resolution repairs have been undertaken to the roofs of the grade II buildings.

Effect on Highway Safety.

WCC Highways are content that the alternative pedestrian access into the end of unit 5 removes the need for a footpath alongside it. All other considerations remain as before.

Proposed Condition 5 of 2003/2171 required:

No development shall take place until detailed plans to show the footpath in full details in respect of culverts, bridge crossings, surfacing, lighting, crossings, levels, construction & drainage have been submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the details approved prior to the occupation of the buildings.

The footbridge and its approaches lie outside the application red line and therefore will need to be the subject of a separate planning application in order to comply with the condition. The remaining works lie within the red line. It would therefore be reasonable to amend this condition as follows :

No development shall take place until detailed plans to show the footpath in full details in respect of culverts, surfacing, lighting, crossings, levels, construction & drainage have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the footpath has been constructed , surfaced & drained in accordance with the approved details and footbridge has been provided to link the footpath across the site to Court Street and the footway and footbridge have been made available for use and shall be maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

This condition gives the flexibility of a footpath being provided alongside the carriageway as an alternative. WCC Highways have future plans to widen to widen Court St . Bridge.

There is a public footpath across the front of the Tithe Barn, which has not been formally diverted, and therefore an additional condition is required to safeguard it.

All public rights in respect of FP17 shall be safeguarded.

Amendment to other conditions:

Proposed Condition 2 of 2003/2171 required the development to be carried out in accordance with specific drawings. These drawing nos. will need to be revised to reflect the proposed changes.

CONCLUSION

The proposed amendments are considered acceptable and the development still is a sensitive conversion for commercial use of agricultural farm buildings that has the potential to enhance the setting of a grade 1 listed building and scheduled ancient monument (the Tithe Barn). It is therefore considered to comply with policies E17 and CN6 of the adopted Salisbury District Local Plan.

RECOMMENDATION: S/2003/1271

Subject to receipt of satisfactory amended plans which incorporate the acceptable alterations to units 1 & 2 That:

subject to all persons concerned entering into a section 106 Agreement under the provisions of the Town and Country Planning Act for

- (a) a financial contribution towards the provision of recreational facilities in accordance with Policy R2 of the adopted Salisbury District Local Plan, within one month of this permission; and;
- (b) the retention within one ownership of the Tithe Barn, the buildings to be converted, the gatehouse and Place Farmhouse
- (c) a maintenance schedule for the whole Place Farm complex.

The application be approved for the following reasons:

The proposed redevelopment is a sensitive conversion for commercial use of agricultural farmbuildings that has the potential to enhance the setting of a grade 1 listed building and scheduled ancient monument (the Tithe Barn). It is therefore considered to comply with policies E17 and CN6 of the adopted Salisbury District Local Plan.

and subject to the following conditions :

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

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

- (2) This development shall be in accordance with the following drawings, 20032- SK016(REV AWAITED) Drawings20032- 110F, 111 (REV. AWAITED),112H, 113C unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

- (3) Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external wall[s] and roof[s] of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D04A)

Reason: To secure a harmonious form of development.

- (4) No development shall take place until details of the treatment 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 and be implemented before the use of the buildings hereby permitted commences. .

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

- (5)No development shall take place until detailed plans to show the footpath in full details in respect of culverts, surfacing, lighting, crossings, levels, construction & drainage have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the footpath has been constructed, surfaced & drained in accordance with the approved details and footbridge has been provided to link the footpath across the site to Court Street and the footway and footbridge have been made available for use and shall be maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety. & in the interests of visual amenity.

- (6) The use of the buildings hereby permitted shall not commence until the roof of the Tithe Barn has been repaired.

Reason: In the interests of the historic environment and integrity of the listed buildings complex . This permission can only be justified if the historic fabric of the whole complex is safeguarded.

- (7) The occupation of the residential unit shall be restricted to a person/persons employed at the site and their resident dependants.

Reason; in the interests of the amenity of the occupiers of the dwelling and in the interests of sustainability.

- (8) The use of the buildings hereby permitted shall not commence until the 30 mph limit has been extended along Chilmark Road to the site access.

Reason: In the interests of highway safety.

(9) No unit shall be occupied until a travel plan, which has as its aims the reduction in usage of the private car and the promotion of alternative means of transport such as cycling walking and public transport has been submitted to and approved in writing by the Local planning authority.

Reason: In the interests of sustainable transport

(10) No unit shall be occupied until the cycle parking and showers have been provided as shown on drawing (awaited) .

Reason: In the interests of sustainable transport

(11) The use of the buildings, hereby permitted, shall not commence until the new access has been formed, constructed, surfaced and drained and the existing accesses closed to vehicular traffic as shown on the approved plans.

Reason: In the interests of highway safety.

(12) Development shall be carried out in accordance with the recommendations of section 7 of the Protected Species Survey Report by Chalkhill Consultants.

Reason: In the interests of the habitats of protected species.

(13) The south western gable end window in the upper floor of the residential unit shall be obscured glazed and fixed shut to a height of 1.6m above internal floor level and shall remain in that condition thereafter.

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

(14) Notwithstanding the provisions of Class B of Schedule 2 (Part 2) 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 change of use of any unit from Class B1(a) unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf.

Reason: In the interests of the amenity of adjoining dwellings

15. All public rights in respect of FP17 must be safeguarded.

Reason : In the interests of users of the public right of way.

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

E17, Purpose To ensure a satisfactory conversion of buildings to employment purposes.

CN3 Purpose -Work to be in a character appropriate to the setting of a listed building
CN4,- Purpose - appropriate change of use of listed buildings

CN5- Purpose - curtilage works to respect setting of Listed Building

CN6 - Purpose – To ensure a satisfactory conversion of listed agricultural buildings.

CN8- Purpose - Preservation and Enhancement of Conservation Area.

CN11 - Purpose -safeguarding views in and out of Conservation Area

INFORMATIVE: - The footbridge over the Fonthill Brook and associated footpath links required by condition 5 will, where they lie without the red line of this application , require the submission of a separate planning application.

In respect of S/2003/2172:

FOLLOWING COMPLETION OF A SECTION 106 AGREEMENT FOR

- The retention of the whole of the place farm complex within one ownership
- A maintenance schedule for the Place Farm complex

:

APPROVE: for the following reasons

This is an important complex of listed buildings on the edge of the settlement of Tisbury which are currently disused. Their restoration and conversion to B1 uses (with one residential unit) will bring them back into beneficial use in accordance with guidance in PPG15. The integrity of the complex as a whole can be ensured via a section 106 Agreement and relevant conditions.

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.

(2) The works for which Listed Building Consent is hereby granted shall be carried out using the materials specified in the submitted drawings and no variation shall be made without the prior written approval of the Local Planning Authority.

Reason: To ensure a harmonious architectural treatment.

(3) All existing stonework brickwork shall be retained and repaired as necessary and any repointing shall be executed in a style and mix of mortar which matches the original. (Z12A)

Reason: To maintain the present character of the building.

(4) Any new or disturbed external surfaces shall be finished to match those of the existing building(s). (Z15A)

Reason: To maintain the present character of the building.

(5) No work shall commence until vertical and horizontal sections of all joinery at a scale of 1:5 have been submitted to and approved in writing by the Local Planning Authority. These sections shall generally accord with the details submitted 1/06/2004 and shall be carried out in accordance with the approved details.

Reason: In the interests of the integrity of the Listed Building.

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

7. Details of the doorway to the south west elevation of unit 5 and the gate to the Pound shall be carried out in accordance with details which shall have been submitted to and approved by the local planning authority.

Reason: In the interests of the integrity of the Listed Building.

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

CN3 – Purpose -Work to be in a character appropriate to the setting of a listed building

CN4 - Purpose - appropriate change of use of listed buildings

CN5- Purpose -curtilage works to respect setting of Listed Building

CN6 – Change of use of Listed adjacent Buildings

CN8 - Purpose - Preservation and Enhancement of Conservation Area

CN11 - Purpose -safeguarding views in and out of Conservation Area

Implications:

- Financial: None.
- Legal: None. The S106 agreement is still uncompleted .
- Human Rights: None.
- Environmental implications: Detailed in the report.
- Council's Core Values: Protecting the environment; fairness and quality.

Wards Affected: Tisbury.