

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

**LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING
COMMITTEE
WESTERN AREA – 19/01/06**

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

Item Page	Application No Officer	Parish/Ward Recommendation Ward Councillors
1	S/2005/2412	DONHEAD ST MARY
	Mr O Marigold	REFUSAL
	ST MARYS SCHOOL DONHEAD ST MARY SHAFTESBURY	Councillor Cole-Morgan
2	S/2005/2253	MAIDEN BRADLEY
SV	Mr O Marigold	REFUSAL
	MR L G AND MRS S M COOPER LAND ADJACENT GREYSTONES HIGH STREET MAIDEN BRADLEY WARMINSTER	Councillor Jeans Councillor Mrs Spencer
3	S/2005/2415	BROADCHALKE
	Miss A Rountree	REFUSAL
	CASTERBRIDGE DEVELOPMENTS PORTWAY HOUSE PELHAM COURT SOUTH STREET BROADCHALKE	Councillor Draper
4	S/2005/1648	WILTON
SV	Mr O Marigold	APPROVE SUBJECT TO S106
	SIGNPOST HOUSING ASSOCIATION LIMITED KINGSWAY HOUSE WARMINSTER ROAD WILTON	Councillor Edge Councillor Brown-Hovelt
5	S/2005/1619	WILTON
SV	Mr O Marigold	APPROVED WITH CONDITIONS

	SIGNPOST HOUSING ASSOCIATION LTD KINGSWAY HOUSE WARMINSTER ROAD WILTON	Councillor Edge Councillor Brown-Hovelt
6	S/2005/2465	TISBURY
SV	Miss A Rountree	APPROVED
	MR AND MRS CARTER THE CLOCKHOUSE THE AVENUE TISBURY SALISBURY	Councillor Mrs Green Councillor Hooper
7	S/2005/2474	TISBURY
SV	Miss A Rountree	APPROVED WITH CONDITIONS
	MR AND MRS CARTER THE CLOCKHOUSE THE AVENUE TISBURY SALISBURY	Councillor Mrs Green Councillor Hooper

Part 1

Applications recommended for Refusal

1

Application Number:	S/2005/2412		
Applicant/ Agent:	DAVID WEST		
Location:	ST MARYS SCHOOL DONHEAD ST MARY SHAFTESBURY SP7 9LP		
Proposal:	ERECTION OF TWO LINKED DETACHED TWO STOREY DWELLING HOUSES PROVIDING ANCILLARY STAFF ACCOMMODATION		
Parish/ Ward	DONHEAD ST MARY		
Conservation Area:	LB Grade:		
Date Valid:	28 November 2005	Expiry Date	23 January 2006
Case Officer:	Mr O Marigold	Contact Number:	01722 434293

REASON FOR REPORT TO MEMBERS

Councillor John Cole-Morgan has asked that the application be heard at Western Area Committee

SITE AND ITS SURROUNDINGS

The site consists of the grounds of St Mary's School, an independent Catholic boarding and day school for girls. The school and its surroundings are located in the countryside (outside of any Housing Policy Boundary) and within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty.

THE PROPOSAL

The application proposes the erection of two new four-bedroom dwellings, one of which would replace a temporary single storey portacabin. The proposals would consist of a block of two semi-detached dwellings. The block would have a maximum height of 9.5m (excluding chimneys), with an overall length of 22.6m.

PLANNING HISTORY

The planning history of the site is attached as **appendix I**. From this it can be seen that the school has had a significant number of previous applications, some of which have been for residential accommodation including flats, a headmistress's house and permission (in some cases permanent, in others temporary) for mobile homes. The level of existing accommodation is outlined in the 'planning considerations' section below and in the plan submitted by the applicants included as **appendix II**. Two applications have been made specifically for dwellings recently:

1. Erection of 5 staff dwellings, withdrawn (S/2004/0819)
2. Erection of 2 staff dwellings, Refused on 13th December 2004 (S/2004/2397). This permission was refused for two reasons:

(1) *The proposed dwellings would be located in the countryside and Area of Outstanding Natural Beauty, outside from a housing policy boundary, where new residential dwellings are unacceptable unless there is an adequate functional and financial justification for a rural based*

enterprise. As inadequate justification has been given, the proposal conflicts with policies H27, H23, C1, C2, C4 and C5 of the Replacement Salisbury District Local Plan.

(2) The proposed dwellings, in that they would be located remote from services, employment opportunities and being unlikely to be well served by public transport, are contrary to the key aims of Planning Policy Guidance Note 13 which seeks to reduce growth in the length and number of motorised journeys. They would represent unsustainable development, contrary to policy G1 of the Replacement Salisbury District Local Plan.

CONSULTATIONS

Highway Authority – no objection

Environmental Health – no objection

REPRESENTATIONS

Advertisement	No	
Site Notice displayed	Yes	expired 29/12/05
Departure	No	
Neighbour notification	No	
Third Party responses	No	
Parish Council response	Yes	Fully Support

MAIN ISSUES

1. The principle of development
- The size, design and appearance of the dwellings
3. Sustainability
4. Recreational open space

POLICY CONTEXT

G1	General Development Criteria
H23	New Dwellings in the open countryside
H27	Rural Workers' dwellings
C1	Development in the countryside
C2	Development in the countryside
C4	Development in the AONB
C5	Development in the AONB

PLANNING CONSIDERATIONS

The principle of development

The site lies outside of any housing policy boundary and in the countryside where new dwellings are, as a matter of principle, unacceptable in accordance with local (H23) and national (PPS7) policies, in the interests of maintaining the character and appearance of the wider countryside. The site also lies within the AONB, further strengthening the need to exercise restraint.

However, the erection of dwellings may exceptionally be permitted for agricultural workers. Since the publication of PPS7 this exception has been extended to workers who are essential for *rural based enterprises*.

The first test, therefore is whether the school is a rural based enterprise. It is important to note that such applications must be assessed on the same terms as those for agricultural dwellings – ie the need must be essential, it must be for a need for a *full time* worker, it must satisfy a functional and financial test and there should be no other existing accommodation, either on the unit or by other existing accommodation in the area.

PPS7 advises that: “...it is essential that all applications for planning permission for new occupational dwellings in the countryside are scrutinised thoroughly...” It needs to be

established, therefore, whether there is an essential need for two, large, permanent dwellings to serve St Mary's School. There should be both a functional and a financial justification.

Whether the school is a 'rural based enterprise'

PPS7 has extended the scope for agricultural dwellings to 'rural based enterprises'. To benefit from this exemption, therefore, it must be shown that the school is a rural based enterprise. PPS7 is relatively recent and no definition of the term is contained within the document.

The phrase could be interpreted two ways – either as relating to any enterprise that has its base in a rural area, or as relating to an enterprise that has to be based in a rural area. The definition is important not just for this case but for the interpretation of the policy generally – the wider definition (ie any enterprise that happens to be rural based) gives much greater scope for dwellings in the countryside.

In seeking clarification, officers sought advice from *Development Control Casebook Forum in Planning* magazine – the professional journal for Town Planning. This advises that Planning Inspectors have usually taken the line that the enterprise must have an essential link to the use of the countryside such as equestrian developments, wildlife sanctuaries, catteries and fishing uses (**appendix III**).

On the basis of this advice, it would seem that the definition of 'rural based enterprise' cannot be extended to encompass a school, which has no essential link to the countryside but happens to be based there for historic reasons. Therefore it would seem that the principle of a dwelling does not fall within the scope of PPS7.

However, members consider that special circumstances apply in the case of this school, and therefore the tests in relation to rural based enterprise dwellings have been assessed below.

The justification put forward by the applicants

A list of the current residential accommodation at the school is attached at **appendix II**. In support of the application, the appellants have sought to justify the erection of two dwellings for a number of reasons. It is argued that a need has arisen because of changes in staff (from residential nuns to mainstream teaching staff); changes in educational standard, residential care and supervision, and new legislation.

The structure of the school's management is that there is a Headmistress, a Deputy Headmaster and a Senior Housemistress who form the Senior Management Team (SMT). Below the Senior Housemistress are 6 resident Housemistresses, each of whom normally has the duty of care ('in loco parentis') for the children for which they are responsible (ie within each 'house'). Each housemistress is supported by 2 House Assistants. Only members of the SMT can take over a housemistress's responsibility.

It is argued that when a housemistress is not available to discharge their duties, a member of the SMT has to take over that duty, both for planned absences (training courses, school trips etc) and for unplanned absences (for example a medical emergency).

To this end, the school has implemented a duty system where one member of the SMT is 'on duty' (ie proactively working), one member is 'on call' (ie is available to be called into the school to assist) and one member who is off duty. This would provide a 24 hour, 7 day coverage.

It is further argued that, under the Working Time Regulations a worker may not work more than 48 hours per 7 day period. Legal advice given to the school says that a member of staff who was called in (and required to sleep in a duty room) would be treated as working, while a member of staff 'on call' but at home with their family would not count towards the 48 hours.

The school has recently appointed a Deputy head who has a family but who currently lives in Shaftesbury. While the previous Deputy Head also lived off site, he was appointed at a time

when there was no expectation that the occupier of that post had to live on site. Now, the Deputy head forms part of the Senior Management Team.

Further arguments made in support of the application are the current need for SMT staff to cover for staff who are suffering from work-related stress, and the additional burdens placed on SMT members by the Care Standards and Health and Safety requirements. The school has also submitted the first draft of the school development plan, which indicates that staff housing is a priority.

Inspection Report by the Commission for Social Care Inspection

As part of the justification, the applicants have also submitted information from the School's recent inspection by the Commission for Social Care Inspection. This provides an objective assessment of the need for supervision of boarders at the school (and therefore the need for additional dwellings).

In particular four standards criteria are relevant. Standard 9 relates to whether the school is capable of satisfactorily managing crises affecting boarders' welfare, for which the school achieved a 'minor shortfall' against the standard.

Standard 31 relates to whether the staff supervising boarders outside teaching time are sufficient in numbers. For this, the school also achieved a 'minor shortfall'. The report says that '*the duty rota demonstrates than an appropriate number of staff are on duty*' and that '*boarders did not report insufficient levels of supervision at any time of day*'. However, the report also says that the Inspectors were told that there were occasions when gap students were left to supervise boarders while staff supervised supper, and the report comments that gap students should not be left in a position of sole responsibility.

Standard 33 relates to whether staff are present, and accessible to boarders, in each boarding house at night. For this the school achieved 'standard met' with no shortfalls. The findings of the report were that within the houses there is always one member of staff on duty and that the housemistresses are also resident and on duty 6 nights a week.

At the time of inspection, the Senior Housemistress was temporarily resident in one of the boarding houses (the Deputy Head had not then been appointed). Therefore even without the Deputy Head the school still met standard 33.

Standard 34 relates to supervision of staff with boarding duties (for which the school achieved 'minor shortfall') and the report finds that a formal system of supervision has not been established but is necessary. The school has argued that the Deputy Headmaster needs to live on site (in an additional dwelling) in order to provide that supervision required by standard 34.

Although the report provides some justification for the school's case (in relation to standard 31), the fact that Standard 33 was fully met would appear not to justify an essential need for two dwellings.

Whether there is a full time need

The school has argued that the need for the Deputy head and the Senior Mistress to live on site is primarily because of the duty system that they intend to operate. But the requirement for the SMT member to be 'on call' does not necessarily require that person to be on site, rather than in Shaftesbury or one of the villages. The 'on call' member would normally be contactable by mobile telephone in the event of an emergency, disciplinary problem, medical emergency, pupil missing or general advice and support.

It has to be remembered that the 'on call' member is only required when both the relevant Housemistress (assisted by two Assistant Housemistresses) and the SMT member 'on duty' are unavailable.

It is considered that the number of occasions when both the SMT member and the Senior Housemistress are unavailable, and an emergency arises that requires their attendance immediately, which cannot be fulfilled by one of the other members of staff, or by the person 'on call' travelling the distance from Shaftesbury, are likely to be very few and far between, and is certainly not a 'full time' requirement.

While there *may* be a functional requirement for one member of SMT to be available 24 hours a day, 7 days a week, for when the other staff and Housemistress are unavailable, and an emergency occurs that cannot be dealt with by someone living in a settlement nearby, it is not considered that there is a full time, 24/7 requirement for three members of staff to live on site.

Existing accommodation

Even if there were a requirement for three staff members to live on site, consideration has to be given to the accommodation already within the school. In total, the school has a total of 14 flats or dwellings within the school grounds.

These consist of:

- 1 x four-bedroom dwelling for the headmistress;
- 1 x two-bedroom bungalow for the caretaker;
- 6 x two-bedroom flats/Duplexes;
- 4 x one-bedroom flats;
- 1 x two bed mobile home with permanent permission; and

1 x three-bedroom mobile home with temporary permission, although as the temporary planning permission expired on 30th October 2005 (reference S/2002/1778) this building is now unauthorised. It is on the site of this building that the proposed dwellings would be sited.

The school has argued that none of the existing permanent accommodation is suitable for the Deputy Head (who currently lives in Shaftesbury) or for the Senior Mistress who currently resides in the unauthorised mobile home, because both have large families and because it is 'more likely' that a senior manager will have a spouse and family.

PPS7 (in paragraph 9) makes clear that it is the requirements of the enterprise, rather than the requirements of the owner or occupier, this is relevant in determining the size of accommodation. Therefore, the question of whether the existing forms of accommodation could meet any functional need should be based on the needs of the school, not the personal family circumstances of the Deputy Head or Senior Mistress.

It is considered that the argument of an SMT member being 'more likely' to have a spouse is not sufficient *essential* justification as to why one of the other forms of two or one bed accommodation could not be used. The fact that the current SMT members have families does not mean that all members of the SMT will necessarily have families, or that it is essential to their position for a family-man (or woman) to be employed.

Even if there was a full time requirement for all three SMT members to live on site, the school already has two dwellings (the caretaker's house and the headmistresses house) that could meet the need for two of the SMT members. The fact that one third of the time the need can be met by the existing accommodation (and that another third could be accommodated by re-organising the existing arrangements) itself means that there is not a 'full time' requirement.

Furthermore, although the requirements of the Working Time regulations are not disputed, the fact that an 'on call' member occupying one of the numerous other flats for the period of their duty would use up some of their 48 hours does not equate to an essential need. It has not been demonstrated that alternatives have been considered, such as having a fourth member of SMT to fulfil the duty system, reducing the need for the SMT's members of family to live on site.

Consideration has been given to the other points raised by the applicants, but it is not considered that the additional burdens placed on staff justify a full-time, on-site presence; nor does the need to cover for staff who are currently absent through illness.

Originally 5 dwellings were proposed although this was subsequently reduced to 2. During the course of the 2004 application for two dwellings, the school's bursar commented that one dwelling would be 'highly desirable' from a pastoral perspective, and that the proposal for a second dwelling resulted from a wish to see family accommodation. It was not argued at that time that there was an *essential* need for two dwellings on the site.

Overall, it is not considered that there is sufficient functional need to justify the erection of two new dwellings in the open countryside.

Financial Test

PPS7 also sets out a financial test. The Guidance states in paragraph 3 that "*...the unit and the [rural based enterprise's] activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so...*".

The applicants have submitted financial information which demonstrates that the business is financially sound, has been profitable for at least one of the last three years, and has a reasonable prospect of remaining so.

The principle of development – conclusion

It is considered that a school cannot be considered as a 'rural based enterprise' and therefore to allow two additional dwellings would be clearly contrary to policy. If the school were to be considered a 'rural based enterprise' the case is finely balanced in relation to functional need but, overall, it is concluded that an insufficient functional justification has been put forward to permit the erection of two dwellings in the countryside and AONB. The proposal would therefore be contrary to policies H23, H27, C1, C2, C4 and C5.

The size, design and appearance of the dwellings

In addition to considering the principle of two dwellings on the site, consideration also needs to be given to the size, design and appearance of the dwellings. It is accepted that the dwellings would not be prominent from public viewpoints, being located within the school grounds that are largely screened from adjoining countryside.

Nevertheless the site does lie in the countryside and within the AONB where Local and National advice is that development should be strictly controlled and design to the highest standards and the fact that a site is well screened is not a good reason to accepting a lower standard of design – it is an argument that could be repeated too often. In any case, the block would be visible to staff and visitors to the school from the main access 'loop' serving the school..

Furthermore, PPS7 advises that agricultural dwellings (and therefore dwellings for rural based enterprises) "*...should be of a size commensurate with the established functional requirement. Dwellings that are unusually large in relation to the agricultural needs of the unit, or unusually expensive to construct in relation to the income it can sustain in the long-term, should not be permitted. It is the requirements of the enterprise, rather than those of the owner or occupier, that are relevant in determining the size of dwelling that is appropriate to a particular holding*".

In this case, during the previous application in 2004, the two dwellings consisted of two semi-detached three-bedroom dwellings, with an overall length of some 16 metres (excluding porches), a height of 9.5 metres and a width of 9 metres.

The proposed dwellings, while having a similar height and width, would have a length of some 22.5 metres, and both dwellings would have four bedrooms. In addition, whereas the previous scheme had a hipped roof, the current scheme has full gables, which only add to its mass and bulk and give a significant roof form.

The proposed block would therefore be significantly larger than the dwelling previously proposed. No functional justification (in PPS7 terms) has been given for the significant increase in the size of the proposals. It is understood that the reason for the increase in size is due solely to the

personal circumstances of the Deputy Head – ie the size of his family. It is not, therefore, the requirements of the enterprise but the requirements of the individual involved. In accordance with PPS7 this is not sufficient to justify the size of dwellings now proposed.

Furthermore the size of the dwellings is considered to be unacceptable in design terms. It is considered that the development would have a significant size, mass and bulk. The block would appear as a significant mass of built form with an over-dominant roof design, which would have an unacceptable appearance and would fail to maintain the natural beauty of the countryside or the AONB.

Although it is recognised that the vicinity of the proposed dwellings includes relatively large school buildings (including the recently approved swimming pool) different considerations apply to new dwellings, not least because the precedent effect is greater. The applicants have argued that replacing the existing mobile home would be a visual improvement, but this building is now unauthorised and removal could be secured by enforcement action.

Sustainability

The site is not located within or close to a settlement and journeys for leisure, shopping or other day-to-day requirements would be made by private car. Although at least one of the occupants of each dwelling would have to work at the school, there is no guarantee that other family members would be employed at the school, and so employment journeys would also take place by private car. This formed a reason for refusal previously.

However, having considered the matter in light of additional information provided by the school, it is likely that other members of the household occupying the dwellings would be employed at the school (and that female children of the occupiers would attend the school). On balance, it is not considered that sustainability issues would justify refusal.

Trees

The Council's tree officer has said that additional information is necessary to establish the impact of the dwellings on trees adjacent to the site. Although this did not form a reason for refusal previously, the 2004 application was made before a change in the British Standard for trees and the current proposal is larger (and has a potentially greater impact).

The Council's arboriculturalist has indicated misgivings in relation to the impact on trees and the impact of trees on the amenities of the occupiers of the dwellings. However, the applicants have indicated that they will provide additional information in relation to trees and this will be updated to members at committee.

Recreational open space

All new dwellings generate a requirement for recreational open space in accordance with policy R2. The applicants have indicated a willingness to make the contribution but, in the absence of a signed, dated agreement and the cheque itself, this must also form a reason for refusal.

CONCLUSION

The school cannot be considered as a 'rural based enterprise' and therefore there is no scope for a dwelling to be considered in the same way as an agricultural dwelling and the exception to the rule of not normally allowing new dwellings in the countryside.

Even if the school is considered as a 'rural based enterprise', in terms of functional justification, the case is finely balanced. On balance, however, it is not considered that there is a sufficient essential justification for 2 additional dwellings on the site. Concerns regarding the size and design of the dwellings also justify refusal, as may tree/amenity concerns

RECOMMENDATION: REFUSE

Reasons for Refusal:

(1) The proposed dwellings would be located in the countryside and within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty, and outside of a housing policy boundary. In such locations there is a presumption against new residential dwellings as a matter of principle, in the interests of the character and appearance of the wider countryside, unless there is an adequate functional (and financial) justification for a dwelling essential to the needs of a rural based enterprise (policy H27) or affordable housing to meet a demonstrated local need (policy H26). As it is considered that a school does not qualify as a 'rural based enterprise' and in any case inadequate justification has been given for additional residential accommodation on this site given the number of existing dwellings, the proposal conflicts with policies H26, H27, H23, C1, C2, C4 and C5 of the Replacement Salisbury District Local Plan.

(2) The proposed dwellings would, by reason of their excessive size, design and scale, appear as a significant mass of built form with an over-dominant roof design. Furthermore, the size of the dwellings has not been demonstrated as being commensurate with the established functional requirement. In these respects the proposed dwellings would harm the character and appearance of the countryside and would fail to maintain the natural beauty of the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty. In these respects, the proposed dwellings would conflict with policies C1, C2, C4 and C5 of the Replacement Salisbury District Local Plan

(3) The proposed development would conflict with policy R2 of the Replacement Salisbury District Local Plan, in that it does not make adequate provision for recreational open space

INFORMATIVE

The applicants are advised that reason for refusal 3 may be overcome by the submission of a unilateral agreement and cheque in accordance with policy R2 of the Replacement Salisbury District Local Plan.

2

Application Number:	S/2005/2253		
Applicant/ Agent:	BRIMBLE LEA & PARTNERS		
Location:	GREYSTONES HIGH STREET MAIDEN BRADLEY WARMINSTER BA127JG		
Proposal:	REDEVELOP TRANSPORT YARD AND GARAGES BY THE ERECTION OF 1 NEW DWELLING, MAKING ALTERATIONS AND ADDITIONS TO WORKSHOP AND STORAGE BUILDING AND CONVERTING INTO 1 DWELLING AND CONVERTING GARAGES INTO A 3RD DWELLING, MAKING ALTERATIONS AND IMPROVEMENTS TO EXISTING VEHICULAR AND PEDESTRIAN ACCESS THERETO, AND ERECT 2 PRIVATE GARAGES TO BE USED BY THE OCCUPANTS OF No.1 AND No.2 GREYSTONES.		
Parish/ Ward	MAIDEN BRADLEY		
Conservation Area:	MAIDEN BRADLEY	LB Grade:	
Date Valid:	20 October 2005	Expiry Date	15 December 2005
Case Officer:	Mr O Marigold	Contact Number:	01722 434293

REASON FOR REPORT TO MEMBERS

Councillor Mrs C Spencer has asked that the application be heard at WAC because of the interest shown in the application

SITE AND ITS SURROUNDINGS

The site consists of a disused former transport yard (previously farm buildings) located off the High Street in Maiden Bradley. The site lies within the Maiden Bradley Conservation Area and the Cranborne Chase and West Wiltshire Downs AONB. It lies adjacent to a Scheduled Ancient Monument and within the Maiden Bradley Housing Policy Boundary.

THE PROPOSAL

The application seeks to create three dwellings and garages, together with the erection of two garages serving the existing dwellings at numbers 1 and 2 Greystones. Two of the new dwellings would be the result of conversion and extension of the current buildings, one would be new-build.

PLANNING HISTORY

S/1988/1263 Change of use of blacksmith to dwelling, Refused on 16th August 1988. Subsequent appeal allowed (but permission never implemented).

S/2005/0977 Re-develop transport yard and garages by the erection of 1 new dwelling, making alterations and additions to workshop and storage building and converting into 1 dwelling, and converting garages into a 3rd dwelling, making alterations and improvements to existing vehicular and pedestrian access thereto, Refused on 5th July 2005. Refused on 5th July 2005 for the following reasons:

- 1. The proposed development, by reason of the excessive size, scale and form of the development on plot one, and the unsympathetic size and height of the extension to the existing building to form the dwelling on plot two, would fail to preserve the character and appearance of this part of the Maiden Bradley Conservation Area and would fail to reach the high design standards required with Conservation Area and AONB, contrary to policies D2, D3, H16, C5 and CN8 of the Replacement Salisbury District Local Plan*
- 2. It has not been demonstrated that the site could not be re-used for employment purposes, or that the change to residential use would result in significant conservation or environmental benefits. The proposed development would therefore result in the loss of an employment site contrary to policy G1 and E16 of the Replacement Salisbury District Local Plan.*

3. *The proposed development, by reason of its layout, overdevelopment and the inadequate level and quality of private amenity space, would fail to provide a reasonable standard of accommodation for future occupiers of the dwellings on plots two and three and would be out of keeping with the character of the locality, contrary to policy G2 of the Replacement Salisbury District Local Plan.*
4. *In that it has not been demonstrated that the proposal would not harm protected species occupying building to be demolished or converted, the development would be contrary to policy C12 of the Replacement Salisbury District Local Plan.*
5. *In that the proposal fails to make adequate contribution towards recreational public open space, the proposed development would be contrary to policy R2 of the Replacement Salisbury District Local Plan.*
6. *The proposed development, given the site's location within a Groundwater protection zone and a Major Aquifer provides insufficient information and investigation with regard to groundwater contamination, would be contrary to policy G2 of the Replacement Salisbury District Local Plan.*
7. *The proposed development, given its location within a Conservation Area, does not provide sufficient detail of materials, eaves, window details etc, contrary to policy CN8 of the Replacement Salisbury District Local Plan.*

CONSULTATIONS

1. Highway Authority – no objection subject to conditions
2. English Nature – presence of protected species is a material consideration and the applicant should provide information on whether species are present before determination.
3. WCC Archaeologist – proposal lies to the north of Scheduled Monument SM26821, a Bronze Age barrow probably dating between 2400 and 1500 BC. Appears to form one of a number of isolated or individual barrows along the valley. In light of this and that the current buildings will have disturbed the area of the proposed buildings, no comments are made on the application.

Environment Agency – no objection subject to conditions

Environmental Health – land has been used for 70 years as a motor vehicle depot, maintenance and fuel storage. It is likely that there is some contamination and a conditions should be applied to any approval requiring a detailed land contamination survey.

CPRE – the proposed redevelopment of the transport yard adds up to an overdevelopment of the site and includes what appears to be a substandard dwelling on plot 3 constructed from the existing line of garages

REPRESENTATIONS

Advertisement	Yes	expired 16/06/05
Site Notice displayed	Yes	expired 16/06/05
Departure	No	
Neighbour notification	Yes	expired 08/12/05
Third Party responses	Yes	1 letter of support 2 letters raising the following concerns:

Impact on highway safety

Concerns regarding sewerage

Inadequate information regarding building materials

Existing building materials harmful to health

Parish Council response Yes Support, but raise a number of issues:

Advantageous to have footway along High Street
Plot 3 ideal as affordable Housing
Materials 'to be agreed' is insufficient
Concern regarding overdevelopment
Residential use preferable to transport yard
Objections raised by SDC not addressed

MAIN ISSUES

Comparison to previously refused scheme; whether the reasons for refusal have been overcome

POLICY CONTEXT

Adopted SDLP, G1, G2, D2, D3, H16, E16, CN8, CN9,

PLANNING CONSIDERATIONS

Impact on the character and appearance of the Conservation Area

The site at present consists of a transport yard, operated mainly by a coach firm but also as a general yard. It is understood that the business no longer operates from the site. In terms of the impact on the Conservation Area, the buildings at present (particularly those visible from the road) resemble agricultural buildings - in fact it is understood that the site was originally stabling before being used as a transport yard. Their current appearance does not detract from the Conservation Area's character and appearance.

The proposed alterations would give the converted buildings on plot 3, at the entrance to the site, a more domestic appearance and the impact of these alterations would be neutral, given the buildings' location within a generally domestic setting. For plot 2, the application involves conversion of the existing building, together with demolition of an 'industrial' addition to this building. However, the application also proposes the erection of an additional building that, because of its height (some 1.5 metres higher at ridgeline), would also appear unsympathetic to the barn. This aspect is unchanged from the previously refused scheme and it is still considered that this aspect of the proposal would detract from the character and appearance of the Conservation Area.

The application also includes the erection of a new dwelling for plot one. This would be a large dwelling in itself, but includes garages that are also of significant size. Although these are a reduction in the amount of built form proposed in the previous application, the Conservation Officer has raised a specific concern regarding the ridge and eaves heights. This would also detract from the character and appearance of the Conservation Area.

No details have been given of materials, eaves and window details etc. Building material standards should be high given the site's sensitive location. Although this also formed a reason for refusal (and the concerns of the Parish Council and local residents are understood) the fact remains that this could be controlled by condition and therefore, on reflection, a refusal on this basis would be difficult to defend at appeal.

Loss of an employment site

Policy E16 requires that on land currently allocated for employment use, the loss of such a use would only be permitted where the alternative use provides a similar number of employment opportunities, unless the site is no longer viable or would bring improvements to the environment or Conservation Area.

The site's last use, and current lawful use, is for employment as a transport yard. The applicants have not demonstrated by means of a marketing exercise that the site cannot be used for alternative employment uses. Although the applicant's agents have submitted their own assessment of the potential of alternative uses, the Council's Forward Planning section do not consider that this is sufficient to overcome policy E16.

It has also been argued that the current buildings harm the Conservation Area. As has been identified above, the currently buildings (particularly those most visible from the road) do not harm the character and appearance of the Conservation Area, while the proposed redevelopment would, in some respects, cause greater harm. The proposals would not therefore have significant Conservation or environmental benefits, and the applicants have not discharged the onus to demonstrate that an employment use could not continue. It would therefore be contrary to policy E16.

Adequacy of the accommodation

A right of way runs through the site from the highway to the rear, to provide access to some 16 garages serving the dwellings on Church Street. Two of the proposed dwellings – on plots 2 and 3 – would have living accommodation in rooms facing the accessway, and both dwellings would have limited or no private amenity space for what would be two bedroom dwellings. Plot 1's amenity space is also limited to a relatively narrow strip to the east and south of the property, serving a 4 bedroom, family dwelling.

The right of way would generate a significant number of traffic movements, as would those accessing the dwellings now approved. This, together with the poor level of amenity space for all of the dwellings, and their close proximity to the access way for plots 2 and 3, would provide an inadequate standard of amenity for the occupants of the dwellings.

The 1988 appeal decision related to the site now proposed as plot three. Permission was refused on the grounds of the close proximity of the dwelling to the transport yard and on the grounds of harm to the character and appearance of the area because of the unsatisfactory plot size and space around the dwelling. The Inspector disagreed with this assessment because Maiden Bradley generally consists of dwellings with limited front gardens. The concern regarding plot 3's space now is not so much the impact on the character of the area, but rather the lack of amenity space provided.

Impact on archeology and the Scheduled Ancient Monument

The proposal would not impact on archeology or the SAM. The County Councils' archeologist has not objected to the development as proposed (in light of the existence of existing buildings) while English heritage have not objected, subject to the imposition of a condition for archeological recording.

Impact on protected species

English Nature have requested a protected species survey to ensure that the buildings do not contain a habitat for bats or barn owls. The applicants have indicated that a survey will be submitted before the date of committee. Until this is received, the impact on protected species cannot be assessed (and a reason for refusal has to be included) but members will be updated through late correspondence on this matter.

Impact on highway safety

The Highway Authority have not objected to the proposed development, provided that conditions are imposed in relation to visibility and access. No objection has been raised to the number of parking spaces proposed – the Council's standards only require a maximum level, not a minimum level.

Impact on living conditions of neighbouring properties

Consideration has been given to the impact on the living conditions on adjoining properties, including those on either side of Greystones, from both the new dwellings and the garages serving the existing properties. The dwelling on plot 1 would have three windows facing eastwards. However, only the 'workshop' window would face towards the garden of the adjoining dwelling and this could be obscure glazed by condition if necessary. The other dwellings would be served by rooflights where they would face towards adjoining sites.

Overall, the proposal would not harm the living conditions of adjoining properties.

Sewerage

Local residents and the Parish Council have raised concerns regarding the capacity of the public sewerage system to cope with the additional pressure from the proposed development – the applicants propose connecting to the existing system.

Government guidance gives a presumption in favour of connecting to public sewerage unless there is a good reason not to. Neither Wessex Water, or the Environment Agency or the Council's Environmental health department have objected to the proposed means of sewage disposal and, if necessary, a condition could be imposed requiring the applicants to demonstrate a satisfactory means of sewage disposal.

Other Matters

The applicants have provided no information in relation to groundwater contamination. The site overlays a Major Aquifer and lies within a Groundwater protection zone. However, as both the Council's environmental health department and the Environment Agency have requested an investigation into the potential for land contamination as a condition, it is recommended that this be imposed.

A s106 for recreational open space had been submitted but in light of the recommendation for refusal it has not been re-submitted. This must also form a reason for refusal. Minimising light pollution could also be the subject of a condition. Asbestos removal is a matter for Building Regulations.

RECOMMENDATION: REFUSE

Reasons for Refusal:

- (1) The proposed development, by reason of the excessive size, scale and form of the development on plot one, and the unsympathetic size and height of the extension to the existing building to form the dwelling on plot two, would fail to preserve the character and appearance of this part of the Maiden Bradley Conservation Area and would fail to reach the high design standards required with Conservation Area and AONB, contrary to policies D2, D3, H16, C5 and CN8 of the Replacement Salisbury District Local Plan
- (2) It has not been demonstrated that the site could not be re-used for employment purposes, or that the change to residential use would result in significant conservation or environmental benefits. The proposed development would therefore result in the loss of an employment site contrary to policy G1 and E16 of the Replacement Salisbury District Local Plan.
- (3) The proposed development, by reason of its layout, overdevelopment and the inadequate level and quality of private amenity space, would fail to provide a reasonable standard of accommodation for future occupiers of the dwellings on plots two and three and would be out of keeping with the character of the locality, contrary to policy G2 of the Replacement Salisbury District Local Plan.
- (4) In that the proposal fails to make adequate contribution towards recreational public open space, the proposed development would be contrary to policy R2 of the Replacement Salisbury District Local Plan.
- (5) In that it has not been demonstrated that the proposal would not harm protected species occupying building to be demolished or converted, the development would be contrary to policy C12 of the Replacement Salisbury District Local Plan.

3

Application Number:	S/2005/2415		
Applicant/ Agent:	NIGEL J TUCKER		
Location:	PORTWAY HOUSE PELHAM COURT SOUTH STREET BROADCHALKE SALISBURY SP5 5DN		
Proposal:	CHANGE OF USE FROM OFFICES TO A SINGLE DWELLING		
Parish/ Ward	BROADCHALKE		
Conservation Area:	BROADCHALKE	LB Grade:	
Date Valid:	29 November 2005	Expiry Date	24 January 2006
Case Officer:	Miss A Rountree	Contact Number:	01722 434312

REASON FOR REPORT TO MEMBERS

Councillor Draper 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 at Portway House on the corner of Pelham Court a small housing estate constructed in the mid 1990s. The building is currently a single storey building in employment use located within the identified Housing Policy Boundary and Conservation Area of Broadchalke and the AONB.

THE PROPOSAL

Permission is sought to change the use of the existing building from employment to residential. A three-bedroom dwelling will be created with off street parking provided on an existing tarmac area to the north of the property. The only external works will be the alteration of the fenestration on the north and east elevations

PLANNING HISTORY

	Erection of builders office & re-opening of pedestrian access	A	27.09.56
3258	Site for dwelling + access	A	22.12.60
70/0344	Extension of offices	A	31.12.70
70/0382	Withdrawn		
71/0435	Erection of joiners shop & garages	A	13.01.72
79/0215	Sub-division of builders yard to accommodate additional business uses & erection of associated office buildings	A	30.05.79
82/0652	Prefabricated double garage for general storage	A	08.09.82
83/0519	Extension of offices	AC	10.06.83
83/0872	General storage building	AC	11.08.83
85/0782	Craft workshop	AC	13.09.85
85/0783	O/L part 2 storey office	AC	12.09.85
90/0342	Extension to office	AC	25.04.90
93/0697	O/L erection of four dwellings and conversion of redundant buildings, yard and offices into a bungalow and garage with means of access	AC	02.07.93
93/1238	Cons.Area Consent – demolition of redundant workshops & general storage buildings	A	21.10.93
94/0704	Approval of Reserved Matters – Erection of four detached houses and garages and alterations to access	AC	05.07.94
05/1358	Demolition of Existing Building & Construction of 2 Cottage Style Houses	R	26.08.05

CONSULTATIONS

WCC Highways - No Objection
 Environmental Health Officer - No Objection
 Wessex Water Authority - No Objection
 Environment Agency - No Objection

REPRESENTATIONS

Advertisement	Yes	Expired 29/12/05
Site Notice displayed	Yes	Expired 29/12/05
Departure	No	
Neighbour notification	Yes	Expired 20/12/05
Third Party responses	No	
Parish Council response	No	

MAIN ISSUES

Loss of Employment
 Impact on Conservation Area
 Impact on Protected Species
 Impact Neighbour
 Contribution Towards R2

POLICY CONTEXT

Adopted SDLP G2, C4, C5, C12, CN12, E16

PLANNING CONSIDERATIONS

Loss of Employment

The property is currently in employment use and therefore policy E16 applies. This states that the site should be marketed for employment use before other uses will be accepted. The only evidence submitted with this application is a brief history provided by the agent which states that that there is already a surplus of office accommodation in the area and Portway House remains un-let. In order for the applicants to comply with policy E16 it would be necessary for the building to be marketing locally for a minimum of 6 months which in this case has not been carried out and as such the proposal is contrary to policy.

Impact on Conservation Area

The proposal is not judged to have a detrimental impact on the surrounding conservation area, the proposed external works being limited to window alterations.

Impact on Protected Species

Many old buildings are a potential roosting site for bats and nesting place for barn owls and as such a protected species survey should be carried out at the site to establish their presence. PPS 9 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" and therefore the absence of such a survey is a reason for refusal.

Impact on Neighbour

The property is located some distance from the neighbouring properties and the volume of the property is not being increased no overshadowing will result. With regard to additional overlooking the building being only single storey bounded with relatively high walls and the window alterations facing inward and to the rear of the property the proposal is not considered detrimental.

Contribution towards R2

The scheme relates to the creation of new residential development and in order to comply with the requirements of policy R2 of the local plan applicants are required to enter into a unilateral undertaking and provide a commuted financial payment. Applicants are now required to sign agreements during the course of the application which in this case has not be undertaken and to

secure the provision of an agreement in the event of an appeal, it will be necessary to include a reason for refusal relating to policy R2.

CONCLUSION

The proposed change of use is judged not to have a detrimental impact on the visual amenity of the surrounding area or the residential amenity of the neighbouring properties. However, the applicant has failed to demonstrate the building is no longer viable for employment use and as such the proposal is contrary to policy E16 of the Adopted SDLP. In addition a protected species survey has not been submitted, contrary to policy C12 of the Adopted SDLP and the applicant has not undertaken to provide a commuted financial payment in accordance with policy R2. Therefore refusal is recommended.

RECOMMENDATION: REFUSE

Reasons for Refusal:

REASONS FOR REFUSAL

(1) Insufficient information has been submitted to demonstrate that the site is no longer viable for employment use and it will therefore lead to a loss of rural employment without any outweighing environmental or conservation benefits. As such the proposal is contrary to Policy E16 of the adopted Salisbury District Local Plan which seeks to retain rural employment.

(2) Insufficient information has been supplied for the Local Planning Office to be satisfied that the proposal will not harm protected species, contrary to policy C12 of the Adopted Salisbury District Local Plan and advice contained within PPS 9.

(3). The proposed development makes inadequate provision for recreational open space and as such is contrary to policy R2 of the Replacement Salisbury District Local Plan.

INFORMATIVE: - R2

You are advised to contact the Local Planning Authority prior to any submission of details so that compliance with Policy R2 can be discussed.

Part 2

Applications recommended for Approval

4

Application Number:	S/2005/1648		
Applicant/ Agent:	KENN SCADDEN ASSOCIATES LTD		
Location:	KINGSWAY HOUSE WARMINSTER ROAD WILTON SALISBURY SP2 0AT		
Proposal:	CHANGE OF USE AND CONVERSION OF GRADE II LISTED BUILDING (SUBSTANTIALLY VACANT) TO 31 DWELLINGS WILTON		
Parish/ Ward	WILTON		
Conservation Area:	LB Grade:	II	
Date Valid:	17 August 2005	Expiry Date:	12 October 2005
Case Officer:	Mr O Marigold	Contact Number:	01722 434293

REASON FOR REPORT TO MEMBERS

Proposal would be a departure from the Minerals and Waste Local Plan (which forms part of the Development Plan), in that the site forms part of a site allocated for a Household Recycling Centre and/or dry, non-hazardous waste recycling. It would also depart from policy H22 of the Local Plan in that the site is allocated for an alternative use (ie waste recycling). The application would therefore need to be determined by Planning and Regulatory Committee.

SITE AND ITS SURROUNDINGS

The application site has a prominent location on the corner of Warminster Road (A36) and Kingsway. It has a width of 73m, a median depth of 60m and an area 0.44 ha. The site forms the southwestern corner of Kingsway/ Barnack Industrial Estate.

The site is occupied by a three storey Victorian building which comprises four two /three storey wings radiating outward. It is occupied by various commercial / uses, the main one being Moody's furniture warehouse (Use Class B8).

The premises are Grade II Listed. It is built in the main of red brick with a slate roof. The building forms the only remaining workhouse of its kind in Salisbury and was constructed in 1838.

The site is bounded by a prominent brick wall (of approximately 2m in height), with vehicular / pedestrian access from Kingsway. A verge beyond the site to the southeast has significant mature trees. These overhang the site and are the subject of a Tree Preservation Order (2005).

The locality is commercial in character. To the north and northeast are the rest of the Kingsway/ Barnack Industrial Estate. This comprises predominantly small industrial units in use as workshops such as joinery and motor mechanics. Wilton Spiritual Church is also situated immediately to the north.

The site and surrounding area are designated as an Area of Special Archaeological Significance and as part of the Landscape Setting of Salisbury and Wilton in the Salisbury District Local Plan. On the western side of the highway is an Area of High Ecological Value. The Wilton Park and Ride operates to the south of the site. The A36 Warminster Road, at this point, is a 30mph zone. There is a narrow footway alongside the road and this narrows on the side towards Wilton. To access the turn it is necessary to cross the A36.

The site lies outside of the Housing Policy Boundary – the boundary is some 200m to the south – and within an area allocated for a Household Recycling Centre and/or dry, non-hazardous waste recycling.

THE PROPOSAL

The application seeks full planning permission for the demolition of lean to & garages, alterations; and change of use to residential (4 houses, 27 apartments); alterations to access and provision of 36 parking spaces. All of the units would be for Affordable Housing under policy H26 of the Local Plan.

The development would comprise 4 houses / bungalows, 27 apartments, 33 parking spaces, 3 special needs parking spaces and 31 bicycle spaces. The proposed residential occupancy can be further broken down as follows: -

- 19 1-bed apts
- 7 2-bed apts
- 1 1-bed hse
- 3 2-bed houses
- 1 2-bed maisonette
- 31 units in total

The following documents accompany this application; transport and environmental Statement, a planning and design statement and a noise survey in connection with PPG24. In addition, Housing Association Details and that the Registered Social Landlord would be “Signpost”, the tenure mix would incorporate both affordable rent and shared ownership although the percentage split between the two tenures has not yet been finalised. The S106 Agreement would allow for any proportion of these. Funding would be through the Housing Corporation Social Housing Grant and Signpost Association’s own resources. Timescales depend upon the Association securing grant funding from the Housing Corporation.

PLANNING HISTORY

05/186	demolition to lean to and garages; alterations, 13.04.05 change of use to residential (4 houses, 27 apartments); alterations to access and provision of 36 parking	WD	
05/187	Demolition to lean to and garages; alterations, 13.04.05 change of use to residential (4 houses, 27 apartments); alterations to access and provision of 36 parking spaces	WD	
05/1196	Change of use and conversion of grade ii listed building to 31 dwellings	WD	27.07.05
05/1197	Change of use of grade ii listed building (currently furniture storage) to 31 dwellings	WD	27.07.05

CONSULTATIONS

Highway Authority – Require additional plans showing amendments at the access point and showing the required visibility splay. Because the existing boundary wall is part of the listing and cannot be removed a revised access was discussed and a further plan submitted. This has not been included in the submission, but this redesign would be acceptable.

Subject to a condition requiring this amendment, and a contribution of £20,000 is secured by a legal agreement for safety improvements at the low bridge and public transport improvements, no highway objection is raised.

English Nature - Providing the recommendations set out in the bat survey are adhered to, no objection on grounds of protected species. The method statement (in relation to protection of the river from pollution) is acceptable.

Environmental Health – concerns have been expressed regarding the location and its acceptability for residential use, given the proximity of noise, dust and fumes from the nearby A36 and industrial uses. The report by Casella Stanger (the applicant’s noise consultants) indicates that noise levels are (just) within PPG24 noise exposure category B and that indoor noise levels can be reduced to acceptable levels with standard thermal double glazing units in the closed position. If all habitable windows are provided with a window design that is approved as part of the planning process by a condition, a satisfactory outcome can be achieved.

Conservation – It is important for this building to be fully utilised and if it were to be left vacant then it will quickly deteriorate. It is more likely that Moody’s will move out as the majority of the building no longer meets their needs. Consider that the next best use, after the current one, would be for residential use – particularly given the original use of the building [as a workhouse]. The secondary glazing to the windows would be acceptable because the changes would be reversible. No objection raised to the alterations to the listed building.

WCC Waste Planning – Object to the proposal on the grounds that it would be contrary to policies 4 and 5 of the Waste Local Plan regarding the allocation of the site as a preferred area, and policy L21 in the safeguarding of that allocation. Allowing residential development here would prejudice the development of the wider allocated site for recycling uses. If the application is to be approved, policies of the Waste Local Plan are relevant in relation to a waste audit and provision of recycling facilities.

Housing - this department supports the proposal to refurbish this building for 1 and 2 bed flats, to be offered as a mixture of social rent, shared ownership, and possibly some low cost open market sales to help fund the affordable units.

Housing need in Wilton is as follows:- Total 113, of which 94 require 1 or 2 bed property. This would indicate a high level of need for such a scheme in Wilton, and would help a number of people onto the homeownership ladder as well as providing a number of homes for people whose only option is affordable rent.

Wessex Water – Site lies within foul sewerage area

Biological Records Centre – English Nature will need to be consulted on the application

English Heritage – Do not consider that it is necessary for this application to be notified to English Heritage

Highways Agency – No comments to make on this application

REPRESENTATIONS

Advertisement	Yes	expired 15/09/05
Site Notice displayed	Yes	expired 15/09/05
Departure	Yes	see above
Neighbour notification	Yes	expired 07/09/05
Third Party responses	Yes	5 letters raising issues relating to:
Poor walking and cycling route from the site to the local community		
Development would be isolated from Wilton		
Existing pavement is narrow and unsuitable		
Dangerous nature of the highway		
Hourly bus service runs past the site, but access to the more frequent buses from Wilton to Salisbury would again involve a long walk		
Use of the Kingsway (via the P&R site) by cyclists would be a much safer cycle route		
Conflicts between industrial area and residential uses		
Proximity of bakery/food manufacturing unit 50m from the site which starts at 1am. Deliveries commence at 5am. The bakery moved out of its site in North Street to this site because of		

concerns relating to noise and disturbance, and are concerned that complaints could result from future occupiers.

Town Council response Yes Support the application because it would be a sympathetic conversion of the listed building and would provide much needed accommodation. However, raise concerns regarding inadequate level of car parking.

MAIN ISSUES

Whether the proposal is acceptable in principle and whether the benefits of the scheme outweigh any conflict with policy.

- 2. Environmental health considerations (including impact on adjoining industrial units)
- 3. Highway safety considerations
- 4. Impact on listed building
- 5. Protected species, recreational open space, trees and other considerations

POLICY CONTEXT

Replacement Salisbury District Local Plan

- H22 Residential development outside of HPBs on previously developed urban land
- H26 Affordable Housing on sites adjoining settlements
- CN3 Alterations to listed buildings
- CN4 Change of use of listed buildings
- CN5 Development within the curtilage of listed buildings
- G1 General Development Criteria
- G2 General Development Criteria
- E16 Land used for employment purposes

Waste Local Plan

- 4 & 5 Allocation of site as a preferred area
- L21 Safeguarding of allocated sites

PLANNING CONSIDERATIONS

Whether the proposal is acceptable in principle and whether the benefits of the scheme outweigh any conflict with policy

The site lies outside of the Housing Policy for Wilton and therefore the creation of new residential development is not normally acceptable. However, policy H22 of the Local Plan does permit the erection of new residential development on previously developed urban land outside of an HPB (such as this), subject to certain criteria.

These criteria are that (i) the site is not identified for alternative development in *this* Local Plan, that (ii) the site is well related to the pattern of the settlement and that (iii) the site is accessible by public transport. Furthermore the policy goes on to say that “*proposals which would involve land currently in employment use will only be permitted if the business is relocated to an alternative site in the settlement which does not increase reliance on the private car, or the land and building(s) are unsuitable and not viable for alternative employment uses*”.

Policy E16 relates to the loss of employment sites. It makes clear that “*on land allocated or currently used for employment purposes, the construction, change of use or redevelopment of premises for other purposes will only be permitted where the proposed development is an acceptable alternative use that provides a similar number and range of job opportunities. The only exceptions to this are where the land or premises are no longer viable for an employment generating use and/or where redevelopment of a site for a non-employment use would bring*

improvements to the local environment or conservation benefits that would outweigh the loss of local jobs”.

However, the proposal is also for 100% affordable housing and therefore policy H26 is also relevant. It says that proposals for affordable housing for local people may be acceptable on small sites within or adjoining settlements, including land outside defined housing policy areas where housing development would not otherwise be permitted. Such proposals will only be acceptable where they meet certain criteria.

Although the site lies outside of the HPB, the Housing Policy Boundaries are not intended to indicate the overall extent of a particular settlement (as identified in policy H23) and therefore consideration needs to be given to whether the site lies within (or adjoins) the ‘settlement’ of Wilton in relation to policy H26. It is considered that this site clearly forms the ‘built up’ part of Wilton, albeit at its edge. Indeed the Salisbury and Wilton ‘Landscape Setting’ boundary specifically excludes the Kingsway industrial estate. It is therefore considered that the site clearly falls within the settlement of Wilton.

Pulling these policy strands together, it therefore need to be considered whether the proposal complies with the policy criteria and whether, if it does not, the benefits of the scheme outweigh any policy conflict.

Policy and loss of employment floorspace

The applicants have argued that the buildings are not viable for future employment use. They claim that the building is hugely inefficient as an employment use compared to modern units and that the maintenance liability is too great and unpredictable. They also say that employment uses are unlikely to generate sufficient investment to preserve and restore the listed building’s fabric.

In light of policy H22’s requirement that employment uses have to be relocated in the settlement where the existing building is located, the applicants point to the fact that the one tenant currently occupying the building, Independent Living, is relocating to new offices being built nearby on the Kingsway Estate. However, the principal former occupier, Moody’s Removals, has already vacated the building and re-located to a site at Old Sarum, Salisbury.

In support of the application, the applicants have submitted a statement from a firm of Chartered Surveyors (Middleton and Major) who conclude that *“it is difficult to see how the property can affectively be used at a viable cost for employment purposes”*.

To comply with policy E16 in particular, the Council’s forward planning section have made clear that the Council normally require a marketing exercise to be undertaken, for a period of 6 to 9 months, to fully demonstrate that a potential employment site is no longer viable for employment uses. The applicants have not done this and this would normally justify refusal.

However, policy E16 does accept loss of employment floorspace where redevelopment of a site for a non-employment use would bring improvements to the local environment or conservation benefits that would outweigh the loss of local jobs.

In this case the proposal would bring conservation benefits in that residential use is more likely to allow for refurbishment of the listed building than business uses and because residential use is the closest use to the building’s original use as a Victorian Workhouse. The building’s listed status is a clear constraint on future uses, making further employment uses less likely. This limits the usefulness of a marketing exercise.

It is not clear what level of employment took place (in terms of number of jobs) before the principal occupiers vacated the building. However the previous use, primarily as storage, is unlikely to have generated a significant number of jobs when compared to B2 or B1 uses. It is understood that the current use has 11 part time jobs and 1 full time job, although this is shortly to relocate nearby.

Finally the provision of affordable housing would go some way to overcoming Wilton’s housing need – a clear and important objective of the Authority - as evidenced by the support for the

application by the Housing Department. This is a factor that has to be balanced with the loss of the employment floorspace.

Overall, it is considered that there is sufficient reason in this case to accept the loss of employment floorspace, even though a marketing exercise has not been undertaken.

Allocation within the waste Local Plan

A further consideration is the fact that the site forms part of an area allocated in the waste Local Plan for a Household Recycling Centre and/or dry, non-hazardous waste recycling. This is also relevant to policy H22 which requires that a site is not allocated for an alternative use. The proposal would clearly be contrary to these aspects of the Local Plan.

Wiltshire County Council are concerned that if the proposal were approved, it would prejudice the use of the rest of the allocated area (which includes much of the Kingsway Industrial Estate) for a Household Recycling Centre and/or dry, non-hazardous waste recycling, because of the potential of complaints from occupiers of the flats to noise, disturbance etc from the uses.

However, it is understood that the proposed waste used were limited to Household Recycling and/or dry, non-hazardous waste recycling because of the proximity of residential uses nearby anyway. Furthermore, in response to concerns relating to the nearby industrial units (see below), measures are proposed, or can be required by condition, that will ensure that the occupiers of the flats have a reasonable standard of amenity.

In light of these factors, and the benefits relating to affordable housing and conservation outlined above, it is considered that the proposed scheme can be reasonable permitted despite the conflict with the Waste Local Plan and criteria (i) of policy H22.

Whether the site is suitably/sustainably located for residential use

Concerns have been expressed that having residential accommodation at this location would not be suitable or sustainable. However, although the site is clearly on the edge of Wilton, the Highway Authority have not objected on sustainability grounds. The site is located close to a route served by buses every hour, and is located within reasonable walking distance of Wilton town centre. The site is also located relatively close to the Park and Ride site (and the potential site for a new railway station). The applicants have also proposed cycle storage to serve some of the units.

Furthermore, the Highway Authority have not objected partly on the basis of funding being secured for public transport improvements (and highway safety improvements, although these relate to the low bridge). Issues regarding the location of the residential uses with regard to noise and disturbance are considered below. Overall, it is considered that the site would be acceptable in sustainability terms.

Environmental health considerations (including impact on adjoining industrial units and amenities for occupiers)

Although the Council's Environmental health department originally had concerns regarding the amenities of occupiers of the dwellings, because of noise and disturbance from adjacent industrial units and from the highway, it is understood that these concerns have been overcome on the basis that the applicant will provide secondary glazing and sound attenuation for all habitable rooms, and that this can be secured by condition.

Consideration has also been given to the proximity of units in terms of overlooking and intervisibility between units. It is accepted that in some cases, some of the units would have distances to other units that fall below the normal 20m separation distance for privacy. However, as the proposal involves the conversion of a listed building (therefore limiting the scope for changes to the building) and given that some intervisibility is expected in urban locations, it is not considered that this should justify refusal in this instance.

Highway safety considerations

Although concerns have been expressed highway safety concerns, the Highway Authority have raised no objection to the proposal, subject to conditions and subject to a contribution towards safety improvements (to the low railway bridge) and towards public transport provision. Provided these are made (through a s106 agreement) it is considered that the proposal would be acceptable in highway safety terms.

Impact on listed building

The proposal has been the subject of discussions between the Council's Conservation Officers and the applicants. The Conservation department are of the view that the proposal would not harm the character and appearance of the listed building, or its setting, and that the proposal would benefit the building in that it would bring it into use preventing its further deterioration) as encouraged by PPG15.

Protected species, recreational open space, trees and other considerations

The applicants have submitted a protected species survey which demonstrates that protected species would not be harmed by the proposal – English Nature have confirmed that provided the report's recommendations are set out this would be acceptable. English Nature has also confirmed that the method statement (in relation to the protection of the river Wylye from pollution) is acceptable.

The Arboricultural Officer has confirmed that the proposal would not harm protected trees (those on Kingsway Road), subject to condition. A recreational open space contribution can also be secured by s106 – on site provision is considered impractical in this location.

A waste audit can be secured by condition – this relates to whether building materials are to be re-used, how they are to be disposed of, waste packaging etc and also how residents are going to be encouraged to recycle (the application already includes recycling facilities within a separate building).

CONCLUSION

Overall, although the proposal would clearly involve a departure from the Local Plan (in that the site is allocated for a recycling centre) and despite the lack of information regarding employment alternatives, it is considered that the affordable housing and listed building benefits of the proposal would provide sufficient justification to recommend approval, subject to a s106 agreement and conditions.

RECOMMENDATION: Refer to Planning and Regulatory Committee

APPROVE SUBJECT TO S106

Subject to the applicants entering into a s106 agreement making provision for:

- (a) affordable housing in accordance with Local Plan policy H26
- (b) a contribution of £20,000 towards highway safety and public transport improvement
- (c) contribution towards recreational open space

And subject to the following conditions:

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission. (A07B)

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990. AS amended by section 51 (1) of the Planning and Compulsory Purchase Act 2004 (0004 AMENDED)

- (2) Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external walls and roofs of the proposed development shall be submitted to and approved in

writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D04A)

Reason: To ensure that the proposed works will be in keeping with the existing character of the listed building and its setting.

(3) All new external and internal works and finishes, and works of making good, shall match the existing original work in respect of materials used, detailed execution and finished appearance except where indicated otherwise drawings hereby approved.

Reason: in the interests of the character and appearance of the listed building

(4) Prior to the commencement of development, details of any external lighting for the site shall be submitted to and approved, in writing, by the Local Planning Authority. Development shall be undertaken in accordance with the approved details.

Reason: in the interests of the character and appearance of the listed building

(5) Before the commencement of the development or any works on site, details of the landscaping of the site, including retention of trees and other natural features, shall be submitted in writing for the approval of the Local Planning Authority, and shall be carried out as approved

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, and to enable proper consideration to be given to the impact of the proposed development on existing trees, so as to safeguard and enhance the visual amenities of the area and to ensure a satisfactory appearance to the development.

(6) No development shall take place on site, including site clearance, tree works, demolition, storage of materials or other preparatory work, until all details relevant to the retention and protection of trees, hereafter called the Arboricultural Method Statement, have been submitted to the Local Planning Authority and approved in writing, Thereafter the development shall be undertaken only in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The Arboricultural Method Statement shall show the areas which are designated for the protection of trees, shrubs and hedges, hereafter referred to as Protection Zones. Unless otherwise agreed, the Protection Zones will be fenced, in accordance with the British Standard Guide for Trees in Relation to Construction (BS.5837: 1990) and no access will be permitted for any development operation.

The Arboricultural Method Statement shall also include all other relevant details, such as changes of level, methods of demolition and construction, the materials, design and levels of roads, footpaths, parking areas and of foundations, walls and fences. It shall also include the control of potentially harmful operations, such as burning, the storage, handling and mixing of materials, and the movement of people or machinery across the site, where these are within 10m of any designated Protection Zone.

The Arboricultural Method Statement shall also indicate the specification and timetable of any tree works, which shall be in accordance with the British Standard Recommendations for Tree Works (BS.3998: 1989).

The Arboricultural Method Statement shall include provision for the supervision and inspection of the tree protection measures. The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the Local Planning Authority has been given in writing

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of construction.

(7) No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (BS.3998: 1989).

If any tree shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 5 years of the completion of the development, another tree, shrub or hedge shall be planted at the same place, and that tree, shrub, or hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to safeguard the amenity of the existing trees to ensure a satisfactory appearance to the development.

(8) No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of the proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.

Reason: In the interest of maintaining the amenity value of the area

(9) The access and visibility splay shall be constructed in accordance with the approved drawing no 022-1541-100P1 (dated April 05) prior to the occupation of the development.

Reason: in the interests of highway safety

(10) The development hereby approved shall be undertaken in full accordance with the recommendations of the ecologist's report dated November 2005 and the Method Statement in relation to pollution during construction dated December 2005.

Reason: In the interests of the river system and protected species

(11) No development shall take place until a waste audit (including recommendations) has been submitted to and approved in writing by the Local Planning Authority. Development shall be undertaken in accordance with the approved details and recommendations.

Reason: in the interests of ensuring sustainable development

(12) Prior to the commencement of development, details of the means of glazing of windows serving habitable rooms shall be submitted to and approved, in writing, by the Local Planning Authority. Development shall be undertaken in accordance with the approved details.

Reason: in the interests of the living conditions of occupiers of the flats

(13) Notwithstanding the provisions of Class[es] E, F, H and H of Schedule 2 (Part 1) to the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), there shall be no extensions 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: in the interests of the character and appearance of the listed building

(14) No development shall take place until details of a scheme for the provision of lighting between the Park and Ride site and the application site has been submitted to and approved by

the Local Planning Authority. Development shall be undertaken in accordance with the details thereby approved, and no residential unit shall be occupied until the lighting has been installed and operative.

Reason: in the interests of sustainable development

5

Application Number:	S/2005/1619		
Applicant/ Agent:	KENN SCADDEN ASSOCIATES LTD		
Location:	KINGSWAY HOUSE WARMINSTER ROAD WILTON SALISBURY SP2 0AT		
Proposal:	CHANGE OF USE AND CONVERSION OF GRADE II LISTED BUILDING (SUBSTANTIALLY VACANT) TO 31 DWELLINGS WILTON		
Parish/ Ward	WILTON		
Conservation Area:		LB Grade:	II
Date Valid:	11 August 2005	Expiry Date	6 October 2005
Case Officer:	Mr O Marigold	Contact Number:	01722 434293

REASON FOR REPORT TO MEMBERS

See planning application (S/2005/1648)

SITE AND ITS SURROUNDINGS

The application site has a prominent location on the corner of Warminster Road (A36) and Kingsway. It has a width of 73m, a median depth of 60m and an area 0.44 ha. The site forms the southwestern corner of Kingsway/ Barnack Industrial Estate.

The site is occupied by a three storey Victorian building which comprises four two /three storey wings radiating outward. It is occupied by various commercial / uses, the main one being Moody's furniture warehouse (Use Class B8).

The premises are Grade II Listed. It is built in the main of red brick with a slate roof. The building forms the only remaining workhouse of its kind in Salisbury and was constructed in 1838.

The site is bounded by a prominent brick wall (of approximately 2m in height), with vehicular / pedestrian access from Kingsway. A verge beyond the site to the southeast has significant mature trees. These overhang the site and are the subject of a Tree Preservation Order (2005).

The locality is commercial in character. To the north and northeast are the rest of the Kingsway/ Barnack Industrial Estate. This comprises predominantly small industrial units in use as workshops such as joinery and motor mechanics. Wilton Spiritual Church is also situated immediately to the north.

The site and surrounding area are designated as an Area of Special Archaeological Significance and as part of the Landscape Setting of Salisbury and Wilton in the Salisbury District Local Plan. On the western side of the highway is an Area of High Ecological Value. The Wilton Park and Ride operates to the south of the site. The A36 Warminster Road, at this point, is a 30mph zone. There is a narrow footway alongside the road and this narrows on the side towards Wilton. To access the turn it is necessary to cross the A36.

The site lies outside of the Housing Policy Boundary – the boundary is some 200m to the south – and within an area allocated for a Household Recycling Centre and/or dry, non-hazardous waste recycling.

THE PROPOSAL

The application seeks full planning permission for the demolition of lean to & garages, alterations; and change of use to residential (4 houses, 27 apartments); alterations to access and provision of 36 parking spaces. All of the units would be for Affordable Housing under policy H26 of the Local Plan.

The development would comprise 4 houses / bungalows, 27 apartments, 33 parking spaces, 3 special needs parking spaces and 31 bicycle spaces.

PLANNING HISTORY

<p>05/186 demolition to lean to and garages; alterations, 13.04.05 change of use to residential (4 houses, 27 apartments); alterations to access and provision of 36 parking</p>	<p>WD</p>
<p>05/187 Demolition to lean to and garages; alterations, 13.04.05 change of use to residential (4 houses, 27 apartments); alterations to access and provision of 36 parking spaces</p>	<p>WD</p>
<p>05/1196 Change of use and conversion of grade ii listed building to 31 dwellings</p>	<p>WD 27.07.05</p>
<p>05/1197 Change of use of grade ii listed building (currently furniture storage) to 31 dwellings</p>	<p>WD 27.07.05</p>

CONSULTATIONS

Conservation – It is important for this building to be fully utilised and if it were to be left vacant then it will quickly deteriorate. It is more likely that Moody’s will move out as the majority of the building no longer meets their needs. Consider that the next best use, after the current one, would be for residential use – particularly given the original use of the building [as a workhouse]. The secondary glazing to the windows would be acceptable because the changes would be reversible. No objection raised to the alterations to the listed building.

English Heritage – Do not consider that it is necessary for this application to be notified to English Heritage

REPRESENTATIONS

<p>Advertisement</p>	<p>Yes</p>	<p>expired 15/09/05</p>
<p>Site Notice displayed</p>	<p>Yes</p>	<p>expired 15/09/05</p>
<p>Departure</p>	<p>Yes</p>	<p>The listed building application would not be a departure (unlike the planning application) but to prevent P&R being limited in its consideration of the listed building merits, the listed building application should accompany the planning application to P&R if members resolve to approve the planning application.</p>
<p>Neighbour notification</p>	<p>Yes</p>	<p>expired 05/09/05</p>
<p>Third Party responses</p>	<p>Yes</p>	<p>5 letters (to planning application) raising issues relating to: Poor walking and cycling route from the site to the local community Development would be isolated from Wilton Existing pavement is narrow and unsuitable Dangerous nature of the highway Hourly bus service runs past the site, but access to the more frequent buses from Wilton to Salisbury would again involve a long walk Use of the Kingsway (via the P&R site) by cyclists would be a much safer cycle route Conflicts between industrial area and residential uses Proximity of bakery/food manufacturing unit 50m from the site which starts at 1am. Deliveries commence at 5am. The bakery moved out of its site in North Street to this site because of concerns relating to noise and disturbance, and are concerned that complaints could result from future occupiers.</p>
<p>Town Council response</p>	<p>Yes</p>	<p>Support the application because it would be a sympathetic conversion of the listed building and</p>

would provide much needed accommodation. However, raise concerns regarding inadequate level of car parking.

MAIN ISSUES

Impact on listed building

POLICY CONTEXT

Replacement Salisbury District Local Plan

- CN3 Alterations to listed buildings
- CN4 Change of use of listed buildings
- CN5 Development within the curtilage of listed buildings

PLANNING CONSIDERATIONS

Impact on listed building

The proposal has been the subject of discussions between the Council's Conservation Officers and the applicants. The Conservation department are of the view that the proposal would not harm the character and appearance of the listed building, or its setting, and that the proposal would benefit the building in that it would bring it into use (preventing its further deterioration) as encouraged by PPG15.

RECOMMENDATION: APPROVE

Subject to the following conditions:

(1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission. (A07B)

Reason: To comply with the provisions of Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990. AS amended by section 51 (1) of the Planning and Compulsory Purchase Act 2004 (0004 AMENDED)

(2) Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external walls and roofs and hard surfaced areas 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 ensure that the proposed works will be in keeping with the existing character of the listed building and its setting

(3) All new external and internal works and finishes, and works of making good, shall match the existing original work in respect of materials used, detailed execution and finished appearance except where indicated otherwise on the drawings hereby approved.

Reason: In the interests of the character and appearance of the listed building

(4) Prior to the commencement of development, details at a scale of 1:5, the means of secondary glazing of windows serving habitable rooms shall be submitted to and approved, in writing, by the Local Planning Authority. Development shall be undertaken in accordance with the approved details.

Reason: in the interests of the listed building

6

Application Number:	S/2005/2465		
Applicant/ Agent:	CHARLES BRICE ARCHITECTS LTD		
Location:	THE CLOCKHOUSE THE AVENUE TISBURY SALISBURY SP3 6JG		
Proposal:	FIRST FLOOR EXTENSIONS TO BOTH ENDS OF EXISTING HOUSE REINSTATEMENT OF STONE FAÇADE AND INTERNAL ALTERATIONS		
Parish/ Ward	TISBURY		
Conservation Area:	TISBURY	LB Grade:	II
Date Valid:	2 December 2005	Expiry Date	27 January 2006
Case Officer:	Miss A Rountree	Contact Number:	01722 434312

REASON FOR REPORT TO MEMBERS

Councillor Hooper has requested that this item be determined by Committee due to: the prominent nature of the site

SITE AND ITS SURROUNDINGS

The Clockhouse, Tisbury is a detached dwelling dating from 1828 constructed from randomly coursed though very finely jointed local Upper Portland limestone Ashlar under a hipped Welsh Slate Roof. It has two single storey wings or pavilions lightly set back and flanking a central range of three bays and two storeys. It is located within the identified Housing Policy Boundary and Conservation Area of Tisbury and the AONB. Since the previous two applications the property has been grade II listed by the DCMS.

THE PROPOSAL

Permission is sought for a new roof to the two single storey wings incorporating new accommodation in the roof space under a raised roof, a new rear porch and replacement of external storage area.

The roof height of the single storey sections will be increased by 0.75 metres (as scaled from the submitted plans) and a new four plane single light window will be inserted within both side elevations. Chilmark stone and slate will be used throughout with conservation roof lights inserted within the rear roof slope.

A new porch will be added to the rear elevation protruding 0.95 metres and 1.75 metres in width with lead roof and new four-panel door.

To the east elevation a new flat roof timber clad building outbuilding will replace an existing abutting the main dwelling.

PLANNING HISTORY

2005/784	First Floor Extension to Both Ends of Existing House & Reinstatement of Original Stone Façade	R	23/05/05
2005/1284	First Floor Extension to Both Ends of Existing House & Reinstatement of Original Stone Façade	WD	23/08/05

REPRESENTATIONS

Advertisement	Yes	Expired 05/01/06
Site Notice displayed	Yes	Expired 12/01/06
Departure	No	
Neighbour notification	Yes	Expired 27/12/06
Third Party responses	No	
Parish Council response	Yes	Support

MAIN ISSUES

Scale & Design, Impact on Neighbour

POLICY CONTEXT

Adopted SDLP G2, D3, CN8, C4, C5

PLANNING CONSIDERATIONS

Scale & Design

The current proposals follow length discussions between the applicant, conservation officer and planning officer and are a significant improvement on earlier submissions by virtue of retained subservience of the side wings. Raising the roof of the side extensions and the wall height alterations are the best way of enabling the conversion to living space without spoiling the principal form of the original building. Although the roof lights are inoffensive in the rear roof slope, details of their design are still required, as are details of the windows and rear door which have been requested to be submitted prior to the committee meeting. The rear porch is a new structure which is much smaller than earlier proposals and is judged not to damage the character of the building. The new garage structure will be an improvement on the existing and this elevation already having been much altered it should have minimal impact on the historic fabric of the building. Additional plans are awaited clarifying the impact of the entrance to bedroom 4 on the chimney flues on the south east side of the house.

Impact on Neighbour

Due to the orientation of the building and the fact that the extensions will be no higher than the roof of the main dwelling the proposal is not considered to detrimental impact on residential amenity.

CONCLUSION

The proposal is judged to have overcome the previous reason for refusal creating a method of increasing the accommodation of the property with minimal visual impact on the existing building and surrounding Conservation Area and AONB. It is also considered to have minimal impact on the residential amenity of nearby properties. As such it is judged to comply with policy G2, D3, CN8, C4 and C5 of the Adopted SDLP.

RECOMMENDATION:

Subject to the receipt of satisfactory amended plans: **APPROVE**

REASONS FOR APPROVAL

The proposal is considered to conform with policies D3, CN8, C4 and C5 in that it will be compatible with the existing dwelling and surrounding area in terms of scale, siting, materials and character. In addition it will have minimal impact on the neighbours (1) and therefore conforms with Adopted Salisbury District Local Plan policy G2 (vi).

And subject to the following CONDITIONS:

(1)The development hereby permitted shall be begun before the expiration of three years from the date of this permission. (A07B)

(2) No development shall take place until samples of the materials to be used in the construction of the external surfaces (including woodwork) of the extension 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.

The reasons for the above conditions are listed below:

(1) To comply with the provisions of Section 91 of the Town and Country Planning Act 1990. AS amended by section 51 (1)of the Planning and Compulsory Purchase Act 2004 (0004 AMENDED)

(2) To ensure that the external appearance of the proposed works will relate appropriately to that of the existing building.

INFORMATIVES

In accordance with the following policies of the Adopted Salisbury District Local Plan:

Policy G2	General Development Guidance
Policy D3	General Design Guidance
Policy C4	Development within the Area of Outstanding Natural Beauty
Policy C5	Development within the Area of Outstanding Natural Beauty
Policy CN8	Development within a Conservation Area

7

Application Number:	S/2005/2474		
Applicant/ Agent:	CHARLES BRICE ARCHITECTS LTD		
Location:	THE CLOCKHOUSE THE AVENUE TISBURY SALISBURY SP3 6JG		
Proposal:	FIRST FLOOR EXTENSIONS AT BOTH ENDS OF EXISTING HOUSE REINSTATEMENT OF STONE FAÇADE AND INTERNAL ALTERATIONS		
Parish/ Ward	TISBURY		
Conservation Area:	TISBURY	LB Grade:	II
Date Valid:	2 December 2005	Expiry Date	27 January 2006
Case Officer:	Miss A Rountree	Contact Number:	01722 434312

REASON FOR REPORT TO MEMBERS

Councillor Hooper has requested that this item be determined by Committee due to: the prominent nature of the site

SITE AND ITS SURROUNDINGS

The Clockhouse, Tisbury is a detached dwelling dating from 1828 constructed from randomly coursed though very finely jointed local Upper Portland limestone Ashlar under a hipped Welsh Slate Roof. It has two single storey wings or pavilions lightly set back and flanking a central range of three bays and two storeys. It is located within the identified Housing Policy Boundary and Conservation Area of Tisbury and the AONB. Since the previous two applications the property has been grade II listed by the DCMS.

THE PROPOSAL

Permission is sought for a new roof to the two single storey wings incorporating new accommodation in the roof space under a raised roof, a new rear porch, replacement of external storage area and internal works

The roof height of the single storey sections will be increased by 0.75 metres (as scaled from the submitted plans) and a new four plane single light window will be inserted within both side elevations. Chilmark stone and slate will be used throughout with conservation roof lights inserted within the rear roof slope.

A new porch will be added to the rear elevation protruding 0.95 metres and 1.75 metres in width with lead roof and new four-panel door.

To the east elevation a new flat roof timber clad building outbuilding will replace an existing abutting the main dwelling.

As currently submitted Internally the doors leading from the hallway will be relocated, a dummy door and new fireplace added within the Drawing Room, and partition walls removed.

PLANNING HISTORY

2005/784	First Floor Extension to Both Ends of Existing House & Reinstatement of Original Stone Façade	R	23/05/05
2005/1284	First Floor Extension to Both Ends of Existing House & Reinstatement of Original Stone Façade	WD	23/08/05

REPRESENTATIONS

Advertisement	Yes	Expired 05/01/06
Site Notice displayed	Yes	Expired 12/01/06
Departure	No	
Neighbour notification	Yes	Expired 27/12/06
Third Party responses	No	
Parish Council response	Yes	Support

MAIN ISSUES

Impact on Listed Building

POLICY CONTEXT

Adopted SDLP CN3

PLANNING CONSIDERATIONS

Impact on Listed Building

The current proposals follow length discussions between the applicant, conservation officer and planning officer and are a significant improvement on earlier submissions by virtue of retained subservience of the side wings. Raising the roof of the side extensions and the wall height alterations are the best way of enabling the conversion to living space without spoiling the principal form of the original building. Although the roof lights are inoffensive in the rear roof slope, details of their design are still required, as are details of the windows and rear door, which have been requested to be submitted prior to the committee meeting. The rear porch is a new structure which is much smaller than earlier proposals and is judged not to damage the character of the building. The new garage structure will be an improvement on the existing and this elevation already having been much altered it should have minimal impact on the historic fabric of the building. With regard to the internal works the Conservation Officer has concerns with the relocation of the doors leading off the hallway and requires further details of the proposed fireplace. It has been agreed that a revised plan showing the doors to be retained in their existing position and further details regarding the fireplace will be submitted prior to the committee meeting and will be dealt with in late correspondence. The removal of internal partition walls is unfortunate but will create a much more usable living space and is therefore considered to outweigh any detrimental impact on the historic fabric of the building.

CONCLUSION

The proposal is judged to have overcome the previous reason for refusal creating a method of increasing the accommodation of the property with minimal visual impact on this grade II listed building and the internal works will have limited harm on the historic fabric of the building. As such it is judged to comply with policy CN3 of the Adopted SDLP.

RECOMMENDATION

Approve subject to the receipt of satisfactory amended plans addressing the internal alterations.

REASONS FOR APPROVAL

The proposal is considered to conform with policy CN3 in that it will be an appropriate development for the listed building which will respect the historic fabric and structural integrity..

And subject to the following conditions:

- (1) The development for which permission is hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission. (Z01B)
- (2) No development shall take place until samples of the materials to be used in the construction of the external surfaces (including woodwork) of the extension 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.
- (3) No development shall take place until the following details are supplied to, and approved in writing by, the Local Planning Authority:
 - * Details of the proposed fireplace for the drawing room
 - * Full details of all new glazing including roof lights and sky light at a scale of 1:2.
 - * Details of new external doors at a scale of 1:5

(4) This development shall be in accordance with the amended drawing[s] ref: AWAITED deposited with the Local Planning Authority on AWAITED, unless otherwise agreed in writing by the Local Planning Authority. (B01A)

The reasons for the above conditions are listed below:

(1) To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 (4) of the Planning and Compulsory Purchase Act 2004. .0006 AMENDED

(2) To ensure that the external appearance of the proposed extension will relate appropriately to that of the existing building.

(3) To secure a harmonious architectural treatment.

(4) For the avoidance of doubt.

INFORMATIVE: - POLICY

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

Policy CN3 - Development on a Listed Building