

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 DECEMBER 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	Parish/Ward Officer Recommendation Ward Councillors
1	S/2006/2087	MERE
SV	Charlie Bruce-White	REFUSAL
	M A & S J THOMPSON TALBOT COTTAGE HAZZARDS HILL MERE WARMINSTER ERECT DOUBLE GARAGE	MERE Councillor Jeans Councillor Mrs Spencer
2	S/2006/2188	BROADCHALKE
	Mr Shane Verrion	REFUSAL
	NEW BROADCHALKE PRIMARY SCHOOL SITE BROADCHALKE SP5 5HX FELL & REMOVE 6 HORSE CHESTNUT TREES	BROADCHALKE Councillor Draper
3	S/2006/2049	WEST TISBURY
SV	Charlie Bruce-White	APPROVED WITH CONDITIONS
	MR AND MRS M MANN KEEPERS COTTAGE WEST HATCH TISBURY SALISBURY NEW GARAGE & STUDIO (2 STOREY DETACHED)	West Tisbury Councillor Mrs Green Councillor Hooper

Part 1

Applications recommended for Refusal

1

Application Number:	S/2006/2087		
Applicant/ Agent:	M A & S J THOMPSON		
Location:	TALBOT COTTAGE HAZZARDS HILL MERE WARMINSTER BA126ES		
Proposal:	ERECT DOUBLE GARAGE		
Parish/ Ward:	MERE		
Conservation Area:	MERE	LB Grade:	
Date Valid:	11 October 2006	Expiry Date:	6 December 2006
Case Officer:	Charlie Bruce-White	Contact Number:	01722 434682

REASONS FOR REPORT TO MEMEBERS

Cllr Jeans has requested that the application be determined by Committee, on the grounds that timber buildings can be appropriate to the character of the Mere conservation area.

SITE AND ITS SURROUNDINGS

The site relates to Talbot Cottage and its curtilage, situated on a prominent corner plot at the junction of Upper Water Street and Hazzard's Hill, Mere. The site is situated within the Mere Conservation Area, and is partially within the Environment Agency's flood risk zone.

THE PROPOSAL

It is proposed to erect a timber clad double garage. The application is submitted as a revision to a previously refused scheme, and the reasons for refusal that will need to be overcome include:

"The site relates to part of the residential curtilage of Talbot Cottage, comprising a prominent corner plot within the Mere conservation area. Mere, and especially its conservation area, is very strongly characterised by the use of natural stone and tiles within its buildings. It is proposed to erect a timber clad double garage with a shallow pitched roof of cedar shingles, which would not be in keeping with its surroundings. As such, the proposed development would be detrimental to the character of Talbot Cottage and the Mere conservation area, contrary to policies G2, D3, and CN8 of the Salisbury District Local Plan."

The current application differs in that the roof of the garage would be covered in tiles to "match the existing building", rather than cedar shingles.

It is noted that there is also an extant permission (02/1166) to erect a stone and clay tiled garage in a similar location to that now proposed.

PLANNING HISTORY

02/1166 – Double garage (APP)

06/1610 – Garage (REF)

CONSULTATIONS

Conservation Officer – Object (concerns over proposed materials and design)

WCC Highways Officer – No objection

Environmental Health – No objection (subject to treatment of potentially contaminated land)

REPRESENTATIONS

Advertisement	Yes
Site Notice displayed	Yes
Departure	No
Neighbour notification	Yes
Third Party responses	No
Parish Council response	No objection

MAIN ISSUES

1. The acceptability of the proposal given the policies of the Local Plan;
2. Character of the locality and amenity of the street scene;
3. Amenities of the occupiers of adjoining and near by property;
4. Highway considerations;

POLICY CONTEXT

Local Plan G2, G4, D3, CN8, CN10

Planning Policy Guidance 15: Planning and the historic environment

PLANNING CONSIDERATIONS

Principle of development

National planning policy (PPG15) states that Local Planning Authorities should give high priority to the objective of preserving or enhancing the character or appearance of the area. As such, policy CN8 of the Local Plan states that:

“In Conservation Areas, only development which preserves or enhances the existing character of the area will be permitted. The Local Planning Authority will seek to ensure that the form, scale and design of new development, and materials used in it, respect the character of the area.”

Impact upon visual amenity, including character of Mere Conservation Area

The principle of a garage building has already been agreed on the site, under planning permission S/2002/1166. The scale and massing of the garage now proposed would not have a significantly greater impact than the one already approved.

However, it is considered that the proposed design and materials would be wholly out of keeping with the area. Mere, and especially its conservation area, is very strongly characterised by the prevalence of natural stone as a building material. A timber clad garage with a shallow pitched roof would be at odds with the surrounding stone and tiled buildings, and given the garages' prominent location, would be detrimental to the character of the associated dwelling as well as the area in general.

The applicant states that the garage would make use of a clay tile to match the existing dwelling, although given the shallow 20 degree pitch of the roof, this would not be feasible. It is likely that only a synthetic tile could be used on such a shallow pitch which would not be appropriate for a building that is in a prominent part of the Conservation Area.

The existence of a 1.82 metre high timber fence on the boundaries of the site is noted, and it is accepted that this is a prominent feature within the street scene. However, this fence was deemed to be exempt from planning permission by reason of the GPDO. The Local Planning Authority do, however, have control over the garage that is now proposed, and must consider it in relation to the relevant planning policies. Although partially screened by the boundary fence, the garage will still be clearly visible from the street scene and, given the design and materials proposed, will result in demonstrable harm to the character of the area. The presence of the timber fencing does not therefore give adequate justification to allow the further use of a material that is not appropriate to this site.

Impact upon neighbouring amenity

It is considered that the garage would be a satisfactory distance from neighbouring property so as not to have a harmful impact upon neighbouring amenity.

Flood impact

The site of the garage is adjacent to a stream and is within the EA's flood risk zone. The applicant recognises that the garage could be at risk of flooding in severe conditions and states that the floor level of the garage would be no lower than that of the existing property.

Land contamination issues

It is noted that the south-westerly curtilage of Talbot Cottage is located on the site of a former garage. A scheme to deal with land contamination of the site would need to be submitted before any garage in this location could be erected. This was a condition applied to planning permission S/2002/1166.

Summary

On balance it is considered that the design of the new development, and materials used in it, would not respect the character of the Mere Conservation Area, and as such would be contrary to planning policy.

REASONS FOR REFUSAL

The site relates to part of the residential curtilage of Talbot Cottage, comprising a prominent corner plot within the Mere conservation area. Mere, and especially its conservation area, is very strongly characterised by the use of natural stone and tiles within its buildings. It is proposed to erect a timber clad double garage with a shallow pitched roof, which would not be in keeping with its surroundings in terms of design and materials. As such, the proposed development would be detrimental to the character of Talbot Cottage and the Mere conservation area, contrary to policies G2, D3, and CN8 of the Salisbury District Local Plan.

INFORMATIVE:

The applicant is reminded that planning permission S/2002/1166 for a natural stone and tiled roof garage could still be implemented, subject to the conditions applied thereto.

Application Number:	S/2006/2188		
Applicant/ Agent:	FOWLER FORTESCUE		
Location:	NEW BROADCHALKE PRIMARY SCHOOL SITE KNIGHTON ROAD BROAD CHALKE SALISBURY SP5 5HX		
Proposal:	FELL & REMOVE 6 HORSE CHESTNUT TREES		
Parish/ Ward	BROADCHALKE		
Conservation Area:	LB Grade:		
Date Valid:	25 October 2006	Expiry Date	20 December 2006
Case Officer:	Mr Shane Verrion	Contact Number:	01722 434416

Purpose of Report:

This item is before Members to consider an application to fell six trees that are protected by a Tree Preservation Order (TPO). The application has been the subject of objections so the Committee must make the decision.

Background:

The application received originally stated the intention was to fell 4 Horse Chestnut trees, however, it has since transpired that the applicant wishes to remove all 6 trees.

The applicant states that the trees are believed to have shed a number of branches and as such they are dangerous. Felling has been proposed to avoid a potential accident and possible injury.

The six Horse Chestnut trees are protected by Tree Preservation Order 341, which was confirmed on the 19th May 2005. The TPO was enacted because it was perceived that the trees were under threat from a proposed development of residential properties on the land adjacent to Knighton Road.

Objections:

Seven letters/e-mails of objection have been received, including one from the Parish Council.

The comments and reasons given for the retention of the trees include:

- The trees are the only mature specimens within several hundred meters.
- They provide a screen between the school and Knighton Road.
- They are an attractive feature of the area.
- The request to remove the trees is a prelude to further development, which will lead to an increase in traffic in the area.
- The trees are a feature of the area and they existed long before the land was considered for development.
- The trees are on the northern side of the properties (The Chestnuts) so they do not cut out the sunlight.
- The trees give maturity to the site and maintain part of the original habitat.
- They provide some balance for the increase in Carbon emissions that will result from the increased traffic going to and from the school.
- The removal of the trees will be one less barrier for the developers to overcome.
- The trees look good in leaf each year.
- The trees are old and beautiful, and add to the charm of the countryside.

Comments on objection:

The six Horse Chestnuts are the largest trees in the vicinity and they do break up the hard lines of the surrounding buildings, giving more of a 'countryside' feel to the area. They are generally of fine form and are good examples of their species.

The trees will negate the effects of some of the pollution caused by any increase in traffic, although the amount is unquantifiable.

The removal of the trees may be one less barrier for developers to overcome but it is important they are judge on their own merits.

Conclusion:

The trees do make an important contribution to the amenity of the area but it is necessary to consider the condition of the trees in addition to their visual appearance.

The six trees are mature examples that look healthy at first glance, but on closer inspection some of the trees have a number of defects.

For ease of reference I have numbered the trees from west to east (T1 – T6) in order to list my observations:

T1 – Generally in good health, some dead wood, nails hammered into trunk, long lateral branches (can be hazardous and prone to snapping out).

T2 – Metal post included in trunk (tree has possibly grown around an old fence post which was attached to it), evidence of canker and 'bleeding' from stem.

T3 – Small amount of dead wood, snapped branch, long lateral beam.

T4 – Large cavity near top of trunk, snapped branches and a number of old pruning wounds. Bark beginning to split on underside of large branch.

T5 – Two lost limbs, evidence of 'bleeding' from stem, fungus at base of trunk (unidentified), metal post included in trunk. Recess in trunk with evidence of decay.

T6 – Generally in good health, some dead wood, numerous pruning wounds.

These defects have been noted during a brief visual inspection of the trees from ground level. A detailed inspection, using ultrasound decay detection equipment would be necessary to ascertain the extent of any structural problems.

On general appearance trees T1 and T6 appear to be in relatively sound condition. Trees T2 to T5 (inclusive) all have defects, which could lead to a decline in health. However, this is not to say that this outcome is inevitable, as trees can resist decay/disease for many years.

Immediate concerns about safety could be alleviated by a reduction in the size of the crown and removal of long lateral branches. This would reduce the 'sail' area of the tree, and lessening the leverage of the least stable branches, thereby reducing the possibility of failure. A separate application for this work would be necessary but it could be considered as a possible solution. Alternatively, additional evidence should be provided to demonstrate which trees, if any, are in a dangerous condition to warrant felling.

Options for consideration:

Members should consider the application and decide on one of the following options:

- a) **Approve the application**
- b) **Refuse the application**
- c) **Part approve/part refuse (permit felling of any one or more trees)**

Recommendations:

I recommend this application for refusal. The fact that the trees have lost branches is not a reason to believe they are structurally unsound. Trees shedding limbs, especially in high winds, is a relatively common occurrence.

I feel further evidence should be obtained to determine the extent of any decay that may be present before felling can seriously be considered.

Background Papers: None

Other Representations:

7 objections received – see report

Wards Affected: Chalke Valley

Part 2

Applications recommended for Approval

3

Application Number:	S/2006/2049		
Applicant/ Agent:	COE DESIGN LIMITED		
Location:	KEEPERS COTTAGE WEST HATCH TISBURY SALISBURY SP3 6PH		
Proposal:	NEW GARAGE AND STUDIO (2 STOREY-DETACHED)		
Parish/ Ward	WEST TISBURY		
Conservation Area:	LB Grade:		
Date Valid:	5 October 2006	Expiry Date	30 November 2006
Case Officer:	Charlie Bruce-White	Contact Number:	01722 434682

REASONS FOR REPORT TO MEMBERS

Cllr Hooper has requested that the application be determined by Committee, due to concerns regarding the potential use and future control of the outbuilding, and its impact upon the AONB.

SITE AND ITS SURROUNDINGS

The site relates to Keepers Cottage and its residential curtilage, situated in West Hatch. The site is within the AONB.

THE PROPOSAL

It is proposed to erect a garage/store with loft accommodation for a home office. This application follows a previously submitted scheme for an outbuilding which was withdrawn by the applicants, following concerns from the Local Planning Authority that the design was inappropriate.

PLANNING HISTORY

06/1613	Two storey detached outbuilding	WD
95/1092	Garage/shed and garden room extension	(A106)
87/1623	First floor extension & addition of conservatory and two dormer windows	(AC)
81/0779	Single storey extension	(AC)
77/0462	Extension	(AC)

REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes
Departure	No
Neighbour notification	Yes
Third Party responses	No

Parish Council response

Object – Materials, height and location of outbuilding would be out of keeping with AONB surroundings. Should approval be recommended, suggest that it be conditioned to be ancillary to the existing dwelling.

MAIN ISSUES

1. The acceptability of the proposal given the policies of the Local Plan;
2. Character of the locality and amenity of the street scene;
3. Amenities of the occupiers of adjoining and near by property.

POLICY CONTEXT

G2, D3, C4, C5, C24

PLANNING CONSIDERATIONS

Principle of development

Policy D3 states that the development of ancillary buildings with property curtilages will be permitted where the proposal is compatible in terms of: *scale, design, character, and materials.*

Countryside policies of the Local Plan, in particular C5, seek to ensure that proposed development has the highest regard to the character of the surrounding landscape.

Impact upon visual amenity, including AONB

Several amended plans for the outbuilding have been submitted during the course of this application, and it is the plans submitted on 23/11/06 that shall be considered. The outbuilding would take the form of a 'barn-style' structure, tiled with plain clay tiles with its walls clad in timber. Design features such as cropped hips and projecting rafters have been incorporated. Although containing loft accommodation, light would be provided by roof lights and windows in the gable ends, rather than dormers, which help the building to retain a simple and more rural character.

The outbuilding would be sited to the rear of the curtilage, adjacent to the boundary with surrounding open fields and as such the building could potentially be prominent within the landscape. However, there is a line of mature trees on this boundary which would be retained and would act as a screen to minimise its prominence and, although the building is of a reasonably large scale, its design is considered appropriate to its rural setting. Regarding the scale of the building, it is noted that the existing property has no existing garaging, and the applicants maintain that the proposed storage contained within the outbuilding would result in the removal and consolidation of two existing sheds that are of an unsightly appearance.

It is noted that the parish council have raised concerns over the proposed design and appearance of the outbuilding. Unfortunately the parish have only had sight of the, less acceptable, original plans, although the proposed materials remain unaltered. In respect of the materials, it cannot be considered that clay tiles would be out of keeping with the AONB, and given the outbuilding's close proximity to a group of mature trees, timber clad walls would blend well with its surroundings, making the building less prominent within the landscape than if natural stone were used.

Retaining planning control over the use of the outbuilding

The ground floor of the outbuilding would contain two parking bays for vehicles, a garden storage room and a W.C. Within the loft, accessed via an internal staircase, would be a studio to be used by the applicant's as a home office. No living accommodation is provided and it is not proposed to use the outbuilding as a residentially occupied annexe. As such it is considered that the use of the building could be adequately controlled via a planning condition, requiring that the building be used ancillary to the main dwelling.

Impact upon neighbouring amenity

Due to the private nature of the site, it is not considered that the amenity of any neighbours would be affected.

Conclusion

The design, scale and appearance of the outbuilding would be appropriate to the rural character of the area, and its use as domestic garaging, storage and as a home office within the existing residential curtilage would be appropriate, and can be adequately controlled.

REASONS FOR APPROVAL:

The outbuilding would be acceptable in principle, and would not have a significant impact in design or amenity terms.

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.
- 2) This development shall be in accordance with the amended drawing[s] ref: 068.100.01E deposited with the Local Planning Authority on 23/11/06, unless otherwise agreed in writing by the Local Planning Authority.
- 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces 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.
- 4) The garage hereby permitted shall be used only for private and domestic purposes incidental to the enjoyment of the associated dwelling, and shall not be occupied, sold, leased, rented or otherwise disposed of as a separate dwelling unit.

The reason for the above condition is listed below:

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.

For the avoidance of doubt.

To ensure that the proposed extension will satisfactorily harmonise with its surroundings.

To retain planning control over the use of the premises.

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

Policy G2	General Development Guidance
Policy D3	<i>Design of extensions and outbuildings</i>
Policy C4	Area of Outstanding Natural Beauty
Policy C5	Area of Outstanding Natural Beauty
Policy C24	Extensions and additions within the countryside

Part 3
Applications recommended for the Observations of the
Area Committee

No Observations