

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 22ND MARCH 2007

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 Site Address Description	Parish/Ward Recommendation Ward Councillors
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1.	S/2006/2115	MERE
	Charlie Bruce-White	APPROVED WITH CONDITIONS
	BOOT COTTAGE SALISBURY STREET MERE BA12 6HE CHANGE OF USE OF SHOP TO RESIDENTIAL INCLUDING ALTERATIONS TO SHOP FRONT, INSERTION OF 2 NO. REAR ROOF LIGHT WINDOWS AND REPLACEMENT DOORS	CLLR JEANS CLLR MRS SPENCER
2.	S/2006/2116	MERE
	Charlie Bruce-White	APPROVED WITH CONDITIONS
	BOOT COTTAGE SALISBURY STREET MERE BA12 6HE CHANGE OF USE OF SHOP TO RESIDENTIAL INCLUDING ALTERATIONS TO SHOP FRONT, INSERTION OF 2 NO. REAR ROOF LIGHT WINDOWS AND REPLACEMENT DOORS	CLLR JEANS CLLR MRS SPENCER
3.	S/2006/2322	WILTON
	Charlie Bruce-White	APPROVED WITH CONDITIONS
	'TODAYS' 2 WATERDITCHAMPTON ROAD WILTON SP2 0HZ REPLACE EXISTING SHOP AND STORES (CLASS A1) WITH SINGLE 2 BED RESIDENTIAL DWELLING	CLLR BROWN-HOLVELT CLLR EDGE

**Agenda Item: Tree Preservation Order (TPO) 386, Land adjacent to Riverside,
 Fovant**

Part 1
Applications recommended for Refusal

No Refusals

Part 2

Applications recommended for Approval

1.

Application Number:	S/2006/2115		
Applicant/ Agent:	MRS J TITLEY		
Location:	BOOT COTTAGE, SALISBURY STREET, MERE, WARMINSTER BA12 6HE		
Proposal:	CHANGE OF USE OF SHOP TO RESIDENTIAL INCLUDING ALTERATIONS TO SHOP FRONT, INSERTION OF 2 NO. REAR LIGHT WINDOWS AND REPLACEMENT DOORS		
Parish/ Ward	MERE		
Conservation Area:	MERE	LB Grade:	II
Date Valid:	13 October 2006	Expiry Date	8 December 2006
Case Officer:	Charlie Bruce- White	Contact Number:	01722 434682

REASON FOR REPORT TO MEMBERS

Cllr Jeans has requested that the application go before Committee, due to concerns expressed by the Parish Council over the loss of a local shop within Mere.

The application went before the Western Area Committee at its meeting on 25th January, where it was resolved that the application be deferred in order to obtain an independent assessment / valuation of the business case put forward by the applicant. Some members at this meeting also expressed concerns regarding the proposed dormer windows, both in terms of their visual impact and the potential loss of privacy to neighbouring Vogue Cottage, and the applicants have since explored and put forward an alternative solution. This report is therefore an update of the previous one, incorporating the additional information provided by *Humberts* chartered surveyors, as well as amended plans regarding the rear roof slope of Boot Cottage.

SITE AND ITS SURROUNDINGS

The site relates to Boot Cottage, a mid-terraced property on Salisbury Street, Mere, comprising a vacant shop premises at street level, with residential accommodation to the rear and above. The property is grade II listed and is within the Mere Conservation Area. The shop was last used as a jewellers trading under the name of 'Cameo'.

THE PROPOSAL

It is proposed to:

- change the use of the shop (A1 use class) to residential, absorbing it into the existing dwelling at Boot Cottage;
- make alterations to the shop front;
- make alterations to the internal layout of the property;
- insert 2 roof lights into the rear roof slope;

- replace existing doors.

The insertion of 2 roof lights into the rear roof slope is an amendment to the original plans, which were for 2 dormer windows and 1 roof light.

PLANNING HISTORY

None relevant

CONSULTATIONS

Conservation Officer – No objection (subject to appropriate conditions to provide further window and door details)

WCC Highways Officer – No objection (subject to satisfactory parking provision)

REPRESENTATIONS

Advertisement	Yes	Expiry.....16/11/06
Site Notice displayed	Yes	Expiry.....16/11/06
Departure	No	
Neighbour notification	Yes	Expiry.....14/03/07 (notification for amended plans)
Third Party responses	4 letters of objection/concern. Summary of reasons include:	

Loss of privacy
 Detrimental to historic fabric and character of listed building
 Detrimental to character of conservation area
 Loss of local shop
 Parking provision
 Works already started

At the time of writing the report, no additional letters of representation had been made in response to the notification of amended plans.

Parish Council response Object. Summary of reasons include:

Loss of local shop

MAIN ISSUES

1. The acceptability of the proposal given the policies of the Local Plan;
2. Vitality and viability of Mere;
3. Character of the locality and amenity of the street scene;
4. Listed building and conservation area;
5. Amenities of the occupiers of adjoining and near by property;
6. Highway considerations.

POLICY CONTEXT

- Local Plan G1, G2, D3, H16, E16, CN3, CN4, CN5, CN8, CN13, TR11, PS3

- *Planning Policy Guidance 15: Planning and the historic environment*

PLANNING CONSIDERATIONS

Principle of change of use

Policy G1(ii) seeks to promote the vitality and viability of local communities.

Policy PS3 seeks to retain local services which are both viable and central to the economic and/or social life of the settlement.

Policy E16 states that the change of use or redevelopment of premises for other (non-employment related) purposes will only be permitted where:

- the proposed development is an acceptable alternative use that provides a similar number and range of jobs; or
- the land or premises are no longer viable for an employment generating use; and/or
- redevelopment of the site for a non-employment use would bring improvements to the local environment or conservation benefits that would outweigh the loss of local jobs.

It therefore needs to be demonstrated by the applicant that the premises are no longer viable as a local shop. The applicant has submitted a statement from *Woolley & Wallis* chartered surveyors, providing details of the marketing that was undertaken for the property. According to the statement the property was first marketed to let as a shop in June 2005 and was available as such until the early part of 2006. *Woolley & Wallis*' own procedure was to advertise such properties in the local press at least once a month. The quoted rental was £5,200 per annum, the same as the passing rent before the shop became vacant. During this time, however, only one offer to lease the property was made, although this appears to have fallen through after further consideration by the purchaser over the viability of such a venture.

Furthermore, from early 2006 the whole property was marketed for freehold sale, including both the shop and residential element. *Woolley & Wallis* maintain that at no time did a prospective purchaser take interest in purchasing the property as a live/work unit, despite it being advertised as 'Boot Cottage & Cameo'. Subsequently, the property was bought by the applicant in August 2006 for redevelopment purposes.

Findings from the independent assessment provided by *Humberts* chartered surveyors on behalf of the Local Planning Authority suggest that the shop has limitations for retail use, and in view of this, the asking rent for the lease of the shop "substantially exceeded the market rental value". A more realistic rental is suggested as being £2,600 per annum, and at this level, "more interest may have been shown by potential tenants". However, it needs to be considered whether it would be viable for the applicant to incur the expense of renovating the shop to lease it out for this rate. Furthermore, due to the limitations of the building as a retail premises and the presence of a reasonable range of existing shops within Mere, there are doubts as to whether the premises can be regarded as central to the economic and/or social life of the settlement – a requirement of Local Plan policy PS3.

The applicant has also commissioned a report by local estate agents and chartered surveyors *Gilyard Scarth* to provide some comments on the desirability of a retail use at Boot Cottage. This report also confirms limitations of the premises, in terms of its size and location, concluding that demand for such premises is "virtually nil".

In summary it is considered that, due to the limitations of the shop premises both in terms of its size and existing poor physical state, there is significant doubt that the premises could be viably operated for retail purposes or that it is central to the economic and/or social life of the settlement.

Impact upon visual amenity including character of listed building and conservation area
The main visual alterations to the external appearance of the building would relate to the shop front and rear roof slope of the building.

Shop front

The shop front and fascia are not integral to the historic fabric or character of the building and as such no objection is raised to the principle of their removal. A small, high-level, window would be blocked up, and since this is a more recent addition, created by the blocking up of a

previous doorway, it is not considered that this would be detrimental to any special features of the listed building. The replacement of the existing window and door are welcome alterations, although it will be necessary to agree to finer details, a matter which can be adequately secured by an appropriate condition requiring large scale drawings.

Rear roof slope

It is noted that in conservation terms, dormer windows would be more appropriate to the listed building than roof lights. However, since only two roof lights are proposed on what is not a particularly prominent elevation, it is not considered that these would be detrimental to the special features of the listed building or to the character of the Conservation Area in general. The roof light could be situated between existing purlins within the roof structure and would not affect any significant historic fabric of the listed building. Further details of the roof lights would be agreed through a suitable planning condition, which would secure that a more discreet 'conservation' style roof light is used.

Internal alterations

The Conservation Officer has raised no objection to the proposed alterations to the interior of the building. It is noted some works to the interior of the building have started, prior to intervention by Enforcement Officers, although the Conservation Officer does not believe that any features of historic value were removed, and considers that the proposed alterations are not inappropriate and are generally satisfactory.

Other alterations

The replacement of modern doors in the side elevation of the building are welcome, although it will be necessary to agree to finer details, a matter which can be adequately secured by an appropriate condition requiring large scale drawings.

Impact upon neighbouring amenity

In terms of the proposed use of the building, if anything, the residential use of the shop front would cause less disturbance to neighbours than the present retail use could.

Concerns have been expressed by the occupants of the neighbouring property that the proposed re-development of Boot Cottage would result in overlooking of their garden. Since the deferral of the application, the applicant has explored means of mitigating these concerns with officers. Due to limitations in terms of listed building and Building Regulations requirements, the most appropriate solution was considered to be the provision of two roof lights within the rear elevation. Whilst the roof light to bedroom 4 in particular could offer some views into the garden of Vogue Cottage, it is not considered that the loss of privacy to Vogue Cottage would be significant. Furthermore, it should be recognised that roof lights, such as those proposed, are not subject to planning permission and in this case are only a matter for listed building consent (where issues of neighbour amenity are not a material consideration).

Highways implications

There are two off-street parking spaces provided to the rear of the property. Guidance contained with Appendix V of the Local Plan recommends a maximum of 2 parking spaces for such dwellings. As such no objections are raised on highway grounds.

CONCLUSION

There are significant doubts over the viability of the premises for retail or other commercial uses and it is considered that its change of use to residential is acceptable. Subject to conditions, the proposed internal and external works to the listed building are considered appropriate to the building's historic fabric and special features, and the character of the Conservation Area would be preserved/enhanced. It is not considered that the proposed works would unduly harm the amenity of neighbours, and satisfactory off-street parking can be provided for.

RECOMMENDATION APPROVE

REASONS FOR APPROVAL:

There are significant doubts over the viability of the premises for retail or other commercial uses and it is considered that its change of use to residential is acceptable. Subject to conditions, the proposed internal and external works to the listed building are considered appropriate to the building's historic fabric and special features, and the character of the Conservation Area would be preserved/enhanced. It is not considered that the proposed works would unduly harm the amenity of neighbours, and satisfactory off-street parking can be provided for.

And subject to the following conditions:

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

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.

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

Policy G1	Sustainable development
Policy G2	General Development Guidance
Policy D3	Design of extensions
Policy H16	Application of Housing Policy Boundaries
Policy CN3	Listed buildings
Policy CN4	Change of use of listed buildings
Policy CN5	Listed buildings
Policy CN8	Conservation Areas
Policy CN13	Shop fronts within Conservation Areas
Policy TR11	Off-street parking provision
Policy PS3	Change of use of local facilities

INFORMATIVE:-

The attention of the applicant/developer is drawn to the requirements of the associated listed building consent S/2006/2116.

2.

Application Number:	S/2006/2116		
Applicant/ Agent:	MRS J TITLEY		
Location:	THE BOOT. SALISBURY STREET, MERE WARMINSTER BA12 6HE		
Proposal:	CHANGE OF USE OF SHOP TO RESIDENTIAL INCLUDING ALTERATIONS TO SHOP FRONT, INSERTION OF 2 NO. REAR LIGHT WINDOWS AND REPLACEMENT DOORS		
Parish/ Ward	MERE		
Conservation Area:	MERE	LB Grade:	II
Date Valid:	13 October 2006	Expiry Date	8 December 2006
Case Officer:	Charlie Bruce-White	Contact Number:	01722 434682

REASON FOR REPORT TO MEMBERS

The associated planning application has been called in by Cllr Jeans, in order that issues related to the loss of a local shop within Mere can be debated, and this listed building application is integral to any decision made on the former.

The application went before the Western Area Committee at its meeting on 25th January, where it was resolved that it be deferred in order to obtain an independent assessment/valuation of the business case put forward by the applicant. Some members at this meeting also expressed concerns regarding the proposed dormer windows, both in terms of their visual impact and the potential loss of privacy to neighbouring Vogue Cottage, and the applicants have since explored and put forward an alternative solution. This report is therefore an update of the previous one, incorporating amended plans regarding the rear roof slope of Boot Cottage.

SITE AND ITS SURROUNDINGS

The site relates to Boot Cottage, a mid-terraced property on Salisbury Street, Mere, comprising a vacant shop premises at street level, with residential accommodation to the rear and above. The property is grade II listed and is within the Mere Conservation Area. The shop was last used as a jewellers under the name of 'Cameo'.

THE PROPOSAL

It is proposed to:

- make alterations to the shop front;
- make alterations to the internal layout of the property;
- insert 2 roof lights into the rear roof slope;
- replace existing doors.
- The insertion of 2 roof lights into the rear roof slope is an amendment to the original plans, which were for 2 dormer windows and 1 roof light.

PLANNING HISTORY

None relevant

CONSULTATIONS

Conservation Officer – No objection (subject to appropriate conditions to provide further window and door details)

REPRESENTATIONS

Advertisement Yes Expiry.....16/11/06
Site Notice displayed Yes Expiry.....16/11/06

Western Area Committee 22/03/2007

Departure No
Neighbour notification Yes Expiry.....14/03/07 (notification for amended plans)
Third Party responses 4 letters of objection/concern. Summary of reasons include:

Detrimental to historic fabric and character of listed building
Detrimental to character of conservation area
Works already started

At the time of writing the report, no additional letters of representation had been made in response to the notification of amended plans.

Parish Council response Object. Summary of reasons include:
Loss of local shop

MAIN ISSUES

1. Listed building and conservation area

POLICY CONTEXT

- Local Plan CN3, CN4, CN5, CN8, CN13

- *Planning Policy Guidance 15: Planning and the historic environment*

PLANNING CONSIDERATIONS

Impact upon character of listed building and conservation area

The main visual alterations to the external appearance of the building would relate to the shop front and rear roof slope of the building.

Shop front

The shop front and fascia are not integral to the historic fabric or character of the building and as such no objection is raised to the principle of their removal. A small, high-level, window would be blocked up, and since this is a more recent addition, created by the blocking up of a previous doorway, it is not considered that this would be detrimental to any special features of the listed building. The replacement of the existing window and door are welcome alterations, although it will be necessary to agree to finer details, a matter which can be adequately secured by an appropriate condition requiring large scale drawings.

Rear roof slope

It is noted that in conservation terms, dormer windows would be more appropriate to the listed building than roof lights. However, since only two roof lights are proposed on what is not a particularly prominent elevation, it is not considered that these would be detrimental to the special features of the listed building or to the character of the Conservation Area in general. The roof light could be situated between existing purlins within the roof structure and would not affect any significant historic fabric of the listed building. Further details of the roof lights would be agreed through a suitable planning condition, which would secure that a more discrete 'conservation' style roof light is used.

Internal alterations

The Conservation Officer has raised no objection to the proposed alterations to the interior of the building. It is noted some works to the interior of the building have started, prior to intervention by Enforcement Officers, although the Conservation Officer does not believe that any features of historic value were removed, and considers that the proposed alterations are not inappropriate and are generally satisfactory.

Other alterations

The replacement of modern doors in the side elevation of the building are welcome, although it will be necessary to agree to finer details, a matter which can be adequately secured by an appropriate condition requiring large scale drawings.

CONCLUSION

Subject to conditions, the proposed internal and external works to the listed building are considered appropriate to the building's historic fabric and special features, and the character of the conservation area would be preserved/enhanced.

RECOMMENDATION APPROVE

REASONS FOR APPROVAL:

The proposed alterations would be acceptable in principle, and would not be detrimental to the character of the listed building or conservation area.

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. Before development is commenced, details of the new windows and doors shall be submitted to and approved in writing by the Local Planning Authority. Detailed sections and elevations of all new windows shall be submitted to at least 1:5 scale, and large scale elevations of all new doors shall be submitted to at least 1:10 scale. Development shall be carried out in accordance with the approved details.
3. Other than those works essential to make the building structurally safe, no further works shall be carried out until a complete schedule of works has been submitted to and agreed in writing by the Local Planning Authority.

The reason for the above condition is 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.
2. In the interests of the visual amenity of the building and locality, which is grade II listed and within a Conservation Area.
3. In order that the Local Planning Authority can exercise control over the renovation works in the interests of the special features and historic fabric of the listed building.

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

- | | |
|-------------|---------------------------------------|
| Policy CN3 | Listed buildings |
| Policy CN4 | Change of use of listed buildings |
| Policy CN5 | Listed buildings |
| Policy CN8 | Conservation Areas |
| Policy CN13 | Shop fronts within Conservation Areas |

INFORMATIVE:-

The applicant/developer is reminded that any alterations other than those hereby approved may be subject to further consent from the Local Planning Authority.

3.

Application Number:	S/2006/2322		
Applicant/ Agent:	ELLIS FINNISS CONSULTANTS		
Location:	TODAYS SHOP, 2 WATERDITCHAMPTON ROAD, WILTON SALISBURY SP2 0HZ		
Proposal:	REPLACE EXISTING SHOP AND STORES (CLASS A1) WITH SINGLE 2 BED RESIDENTIAL DWELLING		
Parish/ Ward	WILTON		
Conservation Area:	WILTON	LB Grade:	
Date Valid:	9 November 2006	Expiry Date	4 January 2007
Case Officer:	Charlie Bruce- White	Contact Number:	01722 434682

REASON FOR REPORT TO MEMBERS

Cllr Edge has requested that the application go before Committee since it would involve the loss of a local shop within Wilton.

The application went before the Western Area Committee at its meeting on 25th January, where it was resolved that the application be deferred in order to obtain an independent assessment/valuation of the business case put forward by the applicant. This report is therefore an update of the previous one, incorporating the additional information.

SITE AND ITS SURROUNDINGS

The site relates to a vacant grocery shop, and its associated stores, on Waterditchampton Road, near its junction with the A30. The site is within the Housing Policy Boundary and Conservation Area of Wilton.

THE PROPOSAL

It is proposed to demolish the shop and stores, replacing them with a single dwelling.

PLANNING HISTORY

05/1526	Replace shop with 1 dwelling	W/D
05/1527	Demolition of existing shop & outbuildings	W/D
05/2535	CoU from A1 (retail) to A5 (takeaway)	REF
04/2038	Demolition of existing shop & outbuildings	REF
04/1948	Replace shop with 3 bed residential dwelling	REF

CONSULTATIONS

WCC Highways Officer No objection (subject to conditions)

Conservation Officer No objection (subject to conditions)

REPRESENTATIONS

Advertisement	Yes	Expiry.....14/12/06
Site Notice displayed	Yes	Expiry.....14/12/06
Departure	No	
Neighbour notification	Yes	Expiry.....04/12/06
Third Party responses	1 letter of objection. Reasons include:	

- Overdevelopment of plot
- Loss of light and privacy to neighbouring property
- Loss of local shopping facility

Town Council response

None received

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. Vitality and viability of Wilton;
4. Amenities of the occupiers of adjoining and nearby property;
5. Highway considerations.

POLICY CONTEXT

- Local Plan policies G1, G2, D2, H16, PS3, CN8, CN9, CN11, CN12, R2

- *Planning Policy Guidance 15: Planning and the historic environment*

PLANNING CONSIDERATIONS

Principle of development

Policy G1(ii) seeks to promote the vitality and viability of local communities.

Policy PS3 seeks to retain local services which are both viable and central to the economic and/or social life of the settlement.

Policy E16 states that the change of use or redevelopment of premises for other (non-employment related) purposes will only be permitted where:

- the proposed development is an acceptable alternative use that provides a similar number and range of jobs; or
- the land or premises are no longer viable for an employment generating use; and/or
- redevelopment of the site for a non-employment use would bring improvements to the local environment or conservation benefits that would outweigh the loss of local jobs.

It therefore needs to be demonstrated by the applicant that the premises are no longer viable as a local shop. Evidence provided by a marketing exercise can be used as a guide to assess the commercial viability of such a premises. Indeed the grocery store has been marketed for freehold sale from December 2004 to the middle of 2006. Information from this marketing exercise has been provided by *Goadsby & Harding* chartered surveyors on behalf of the applicant.

According to the statement the grocery shop business and premises were first marketed for freehold sale in December 2004 and were available as such until the middle of 2006. Advertisement was carried out via direct marketing, and the *Goadsby* website and their Business Transfer listings. Over a dozen parties are stated to have requested details of the business, although only two parties entered into further discussions. One of the interested parties progressed no further after apparently viewing previous accounts of the grocery shop. The second interested party, however, made an offer of £110,000 which was accepted by the applicant. This party was interested in using the premises for the purposes of operating a fast food takeaway. Planning permission was sought at the end of 2005 to change the use of the premises from A1 to A3 (S/2005/2535), although this was refused and the offer subsequently fell through.

Whilst the marketing exercise does appear to be reasonably comprehensive, in terms of the period and extent of exposure, there remains a question over the appropriateness of the value that the applicant attached to the premises and business. Offers were sought in the region of £120,000, although the *Goadsby & Harding* statement appends a valuation report from an

independent surveyor which places a market value of the premises as a grocery store at £60,000.

Findings from the independent assessment provided by *Humberts* chartered surveyors on behalf of the Local Planning Authority confirm the guide price of £120,000 as “a very high figure” and suggest that, at the time, a more realistic value would probably not have exceeded £90,000. However, on balance, *Humberts* consider that the guide price of £120,000 is unlikely to have deterred prospective purchasers.

Further findings of importance from *Humberts*' independent assessment confirm the very dilapidated state of the premises, which have now been vacant for over two years. It is stated that “the general quality of construction is poor and this raises the question as to whether it would be worthwhile spending a considerable sum on renovations”. On the reuse of the building for other non-retail commercial purposes, it is commented that there is substantial expenditure to be incurred in order to make the building unusable for any purpose, and that it is unlikely to be viable to incur such costs for such a poorly constructed and unattractive building in order to create a non-retail use for which there would be limited demand in the locality.

In summary it is considered that, on balance, the applicant has gone to reasonable lengths to market the property and that, bearing in mind the poor construction and physical state of the building, there is significant doubt that the premises could be viably operated for retail, or any other commercial, purposes.

Impact upon visual amenity

The existing buildings on site are of a poor quality and detract from the character of this part of the Conservation Area. The Conservation Officer confirms that the replacement dwelling would be a considerable visual improvement over the appearance of the existing shop and that it should enhance the Conservation Area. The size of the dwelling, although larger than the existing shop, would still be of a fairly modest size in relation to surrounding buildings. The restrictions of the plot have necessitated a dwelling which has its side facing the road. However, the side-to-the-road layout would mimic the gable end of the adjacent building, and appropriate detailing has been incorporated onto this elevation to avoid the creation of a bland frontage. Other details on the dwelling would be appropriate to the character of the area, as would the proposed materials of a natural slate roof and red bricks. The Conservation Officer has requested further details relating to windows, doors, rainwater goods etc, which is considered reasonable in order to secure that the finish of the dwelling is of a high quality, appropriate to the Conservation Area.

Neighbouring amenity

The site of the proposed dwelling is tightly surrounded by neighbouring property, and therefore careful consideration will need to be given to the impact of the development upon neighbour amenity. The proposed dwelling has been designed with first floor accommodation, although the height of the building has been kept as low as possible. The first floor accommodation would be in the roof of the building, lit by roof lights, which would not offer significant overlooking views of neighbours.

The owner of the property immediately to the rear of the site, 14 St John's Square, has objected to the scheme on the grounds that it would result in a loss of light to the property. The dwelling would have its gable end facing the rear garden of this neighbouring property, being 1.8 metres away from the boundary at its nearest point. At its highest point, the ridge of the dwelling would be 5.5 metres. Although there is a possibility that part of the garden of the neighbouring property could lose some direct sunlight during the latter hours of the day during the brighter months of the year, it is not considered that bulk of the dwelling would be so great as to result in such an overbearing or overshadowing effect which would warrant refusal.

The owner of the neighbouring dwelling has also raised concerns regarding the boundary treatment, although this is a matter which can be adequately secured through an appropriately worded planning condition.

Highways implications

A dwelling of the size proposed might normally be required to provide up to 2 off-street parking spaces. Due to the limited size of the plot, only one off-street parking space has been proposed. Since the site is situated within a settlement which offers a range of services and reasonable access to public transport, and that there were no parking facilities provided for the site when it was a shop, it is considered that the proposed parking provision is satisfactory. Although recognising that vehicles would have to reverse in/out of the site to access the parking space, the WCC Highways Officer does not wish to sustain an objection, due to the presence of an existing similar such parking space on the site.

CONCLUSION

There are significant doubts over the viability of the premises for retail or other commercial uses, and its replacement with a single dwelling would enhance the character of the Conservation Area whilst maintaining highways safety and a reasonable level of amenity to neighbours.

R2 – A S106 unilateral undertaking for an off site contribution has been received.

RECOMMENDATION APPROVE

REASONS FOR APPROVAL:

There are significant doubts over the viability of the premises for retail or other commercial uses, and its replacement with a single dwelling would enhance the character of the Conservation Area whilst maintaining highways safety and a reasonable level of amenity to neighbours.

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. Before development is commenced, a schedule of external facing materials shall be submitted, and, where so required by the Local Planning Authority, sample panels of the external finishes shall be constructed on the site and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
3. Before development is commenced, details of the new windows and doors shall be submitted to and approved in writing by the Local Planning Authority. Detailed sections and elevations of all new windows shall be submitted to at least 1:5 scale, and large scale elevations of all new doors shall be submitted to at least 1:10 scale. Development shall be carried out in accordance with the approved details.
4. Before development is commenced, details of the lantern shall be submitted to and approved in writing by the Local Planning Authority, including detailed elevations to at least 1:20 scale. Development shall be carried out in accordance with the approved details.
5. Cast iron or cast aluminium rainwater goods shall be used on the approved development, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of development.
6. No development shall take place until details of the proposed means of landscaping have been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

7. Before the first occupation of the dwelling hereby approved, details of the proposed means of enclosure for the boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details before the first occupation of the dwelling.

8. Other than those hereby agreed, there shall be no further windows inserted at first floor level into the dwelling hereby permitted.

9. Notwithstanding the provisions of Classes A to E of Schedule 2 (Part 1) to the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwelling 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.

10. No development shall commence until a scheme of energy and water efficiency measures to reduce the energy and water consumption of the dwelling hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall subsequently be implemented and brought into operation prior to the first occupation of the dwelling and shall thereafter be retained, unless otherwise first agreed in writing by the Local Planning Authority.

The reason for the above condition is 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.

2. To secure a harmonious form of development.

3. In the interests of the visual amenity of the area.

4. In the interests of the visual amenity of the area.

5. In the interests of the visual amenity of the area.

6. In the interests of the visual amenity of the area.

7. In the interests of visual and neighbouring amenity.

8. To ensure adequate privacy for the occupants of neighbouring premises.

9. In the interests of visual and neighbouring amenity.

10. In the interests of the conservation of energy and water resources.

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

Policy G1	Sustainable development
Policy G2	General Development Guidance
Policy D2	Infill development
Policy H16	Application of Housing Policy Boundaries
Policy PS3	Community facilities
Policy CN8	Conservation Areas
Policy CN9	Conservation Areas
Policy CN11	Conservation Areas
Policy CN12	Conservation Areas
Policy R2	Provision of recreational open space

Part 3
**Applications recommended for the Observations of the
Area Committee**

No Observations