

AGENDA

Meeting: Southern Area Planning Committee
Place: Alamein Suite - City Hall, Malthouse Lane, Salisbury, SP2 7TU
Date: Thursday 10 February 2011
Time: 6.00 pm

Please direct any enquiries on this Agenda to Pam Denton, Senior Democratic Services Officer, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line (01225) 718371 or email pam.denton@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Richard Britton	Cllr Mike Hewitt
Cllr Brian Dalton	Cllr George Jeans
Cllr Christopher Devine	Cllr Ian McLennan
Cllr Mary Douglas	Cllr Ian West
Cllr Jose Green	Cllr Fred Westmoreland

Substitutes:

Cllr Ernie Clark	Cllr Stephen Petty
Cllr Peter Colmer	Cllr Leo Randall
Cllr Russell Hawker	Cllr Ricky Rogers
Cllr Bill Moss	Cllr Paul Sample
Cllr Christopher Newbury	Cllr John Smale

AGENDA

Part I

Items to be considered when the meeting is open to the public

1. **Apologies for Absence**

2. **Minutes** (*Pages 1 - 12*)

To approve and sign as a correct record the minutes of the meeting held on 13 January 2011(copy herewith).

3. **Declarations of Interest**

To receive any declarations of personal or prejudicial interests or dispensations granted by the Standards Committee.

4. **Chairman's Announcements**

5. **Public Participation**

Members of the public who wish to speak either in favour or against an application on this agenda are asked to register in person no later than 5:50pm on the day of the meeting.

The Chairman will allow up to 3 speakers in favour and up to 3 speakers against an application. Each speaker will be given up to 3 minutes and invited to speak immediately prior to the item being considered. The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice.

6. **Full Planning Application S/2008/0572 Revised Application to S/2007/1865 Demolition of all Buildings & Redevelopment to Form A Class A1 Foodstore with Associated Parking & Landscaping & Alterations to Access Installation of Wind Turbine at 140 London Road Amesbury SP4 7EQ. Application Determined by Inquiry. (*Pages 13 - 22*)**

7. **Consultation by Dorset County Council: Planning application for gypsy and traveller site on land to the south/east of the Dorset County A30 Depot site, Salisbury Road, Shaftesbury.** *(Pages 23 - 28)*

8. **Planning Appeals** *(Pages 29 - 30)*

To receive details of completed and pending appeals (copy herewith).

9. **Planning Applications** *(Pages 31 - 32)*

To consider and determine planning applications in the attached schedule.

9a **S/2010/1247 - Brockhurst, White Road, Mere** *(Pages 33 - 40)*

9b **S/2010/1285N - Open Site Behind Antrobus Hotel, Kings Arms Inn And Lloyds Bank Salisbury Street Amesbury** *(Pages 41 - 54)*

9c **S/2010/1719 - Long Craggs, Church Street, Bowerchalke** *(Pages 55 - 62)*

9d **S/2010/1750 - Site next to Rose & Crown, High Street, Bulford** *(Pages 63 - 72)*

9e **S/2010/1713 - Summerfield House, Berwick St. James** *(Pages 73 - 84)*

9f **S/2010/1764 - Former Wilton Middle School Site, The Hollows, Wilton** *(Pages 85 - 94)*

10. **Urgent Items**

Any other items of business which, in the opinion of the Chairman, should be taken as a matter of urgency

11. **Exclusion of the Press and Public**

To consider passing the following resolution:

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Item Numbers 10 and 11 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraphs 3 and 1 respectively of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

Part II

Items during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

12. **Minutes - Part II - meeting held on 9 December 2010** *(Pages 95 - 96)*

To confirm and sign the confidential minute in respect of Land off Duck Street, Ladydown View, Tisbury of the meeting held on 9 December 2010

13. **Minutes - Part II - meeting held on 13 January 2011** *(Pages 97 - 98)*

To approve and sign the confidential minute in respect of The Old Coach House, East Grimstead of the meeting held on 13 January 2011

SOUTHERN AREA PLANNING COMMITTEE

**DRAFT MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING
HELD ON 13 JANUARY 2011 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE
LANE, SALISBURY, SP2 7TU.**

Present:

Cllr Richard Britton, Cllr Jose Green (Vice Chairman), Cllr Mike Hewitt, Cllr George Jeans, Cllr Ian McLennan, Cllr Bill Moss (Reserve), Cllr Ian West and Cllr Fred Westmoreland (Chairman)

Also Present:

Cllrs John Brady and Tony Deane

1. **Apologies for Absence**

Apologies were received from Councillors Brian Dalton, Christopher Devine and Mary Douglas. Councillor Bill Moss substituted for Councillor Douglas.

2. **Minutes**

The minutes of the meeting held on 9 December 2010 were presented.

Resolved:

To approve as a correct record and sign the minutes.

3. **Declarations of Interest**

There were no declarations of interest

4. **Chairman's Announcements**

The Chairman announced the death of Councillor Frank Bissington of Salisbury District Council and sent the sympathy of the committee to his family.

The next meeting of the committee would be in 4 weeks time on 10 February 2011.

Councillor Graham Wright had written to the Chairman to say that he wished to resign from the committee; he will be replaced at the next Council meeting.

This was the last meeting for Judy Howles, Area Development Control Manager and Ann Beard, Solicitor. The Chairman thanked them for all their hard work on the committee and wished them well for the future. He also asked that a letter be sent to Tim Pizzey, Area Team Leader, who had already left the Council, thanking him for all his hard work.

The Chairman explained the meeting procedure to the members of the public.

5. **Public Participation**

The committee noted the rules on public participation.

6. **Planning Appeals**

The committee received details of the following appeal decisions:

S2009/1936 & S2010/0764 – 66 Winterslow Road, Porton – Delegated-Dismissed

S2010/0821 – The Heather, Alderbury - Delegated-Dismissed

And forthcoming appeals as follows:

S2010/1806 – Upton Farm, Berwick St John

S2010/1318 – Waters Edge, Hackthorne Road, Durrington

7. **Planning Applications**

7a **S/2010/1319 - 19a The Close, Salisbury, SP1 2EE**

Public participation:

Mr Andrew Pywell spoke in objection to the application

Mr Gerald Steer spoke in objection to the application

Mrs Anne Moynihan spoke in objection to the application

The Reverend Canon Keith Lamdin spoke in support of the application

The Very Reverend Prior Simon Jarrett spoke in support of the application

Dame Rosemary Spencer spoke in support of the application

Councillor John Brady, local member, spoke in objection to the application

The planning officer introduced the report which was recommended for approval. A debate ensued during which issues of loss of amenity to the adjoining property (No. 18) and overdevelopment were discussed.

Resolved:

That the application be refused for the following reasons:

1. The proposed single storey extensions to the rear of No.19a The Close (Principal's House) to accommodate an oratory, sacristy and 2x guest bedrooms together with ancillary works would create development that is within close proximity to the neighbouring dwelling at No.18 which has windows facing the application site. The resultant impact of this close proximity with the western boundary of No.18 is considered to be contrary to Salisbury District Local Plan saved policy G2 (vi) in that it would be detrimental to the amenity of the occupiers of No.18.
2. The proposal is situated within the Conservation Area of the Cathedral Close, and proposed single storey rear extensions to the rear of the application dwelling would also be within close proximity to a number of listed buildings. It is considered that the creation of this rear extension would result in an adverse impact on the setting of the grade I listed Sarum College and the adjacent grade II* listed dwelling at No.18, as it would, together with the development already permitted under application S/1997/1508/09, result in a significant reduction in the open nature of the existing space. This impact is considered to be contrary to Salisbury District Local Plan saved policies CN5 & CN8 and policy HE10.1 of PPS5 in that the benefits of the proposal are neither considered to outweigh the adverse impact on heritage assets, nor preserve nor enhance the character of the conservation area.

7b S/2010/1432 - Wardour School, Wardour, Tisbury, SP3 6RF

Public participation:

Mary Myers spoke in objection to the application
Jeremy Hooper spoke in objection to the application
Jenny Luzmoor spoke in support of the application
Aileen Croft spoke in support of the application
John Camparelli spoke in support of the application

Councillor Tony Deane, local member, spoke to the committee and

requested that they consider a site visit to the school.

The planning officer introduced the report and drew member's attention to the late list which contained correspondence from the Conservation Officer, CCWWD AONB and English Heritage together with an additional condition. A debate ensued during which various issues regarding the design were discussed.

Resolved:

That planning permission be GRANTED for the following Reasons:

The hall and classroom extension is considered to be acceptable in terms of impact on amenities, scale and design for the reasons outlined above and as such in accordance with the provisions of the Development Plan, and in particular Policies G2, D3, C5 and PS1 of the adopted Salisbury District Local Plan.

And Subject to the following conditions:

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 200

2. No development shall commence on site until a sample panel of stonework, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

REASON: In the interests of visual amenity and the character and appearance of the area.

POLICY- G2

3. This development shall be in accordance with the submitted drawing[s] deposited with the Local Planning Authority on 13/09/10, unless otherwise agreed in writing by the Local Planning Authority.

REASON: For the avoidance of doubt

4. The proposed development requires the legal diversion of Public Footpath Tisbury 83 to enable the development to take place. Before the

start of development details of a scheme for the replacement footpath, including the timing of the closure of the existing footpath and the opening of the new replacement footpath shall be submitted to and approved by the Local Planning Authority. The diversion order should be in place prior to the commencement of the development hereby approved

REASON In the interests of pedestrian safety.

7c **S/2008/1806 - Elm Grove, Fonthill Bishop, SP3 5SH**

The planning officer introduced the report and drew members attention to the revised recommendation on the late list. A debate ensued and it was

Resolved:

The planning officer introduced the report and drew members attention to the revised recommendation on the late list. A debate ensued and it was

Resolved:

That following completion of a legal agreement to secure the following provisions:

1. That none of the dwellings to be sold separately from the remainder of the Fonthill Estate
2. That two of the dwellings shall be occupied in the first instance by persons who are employed in the locality of Fonthill Bishop (whether or not on the Fonthill estate)
3. That two of the dwellings shall at all times be occupied by persons employed in the locality (whether or not on the Fonthill Estate)
4. That the area of land immediately to the east of Elm Grove, shown in cross hatch on plan Drawing No: 1114/20K, is returned to agricultural use prior to the first occupation of any of the dwellings
5. That the appropriate commuted sum in relation to recreation provision under Policy R2 is paid

That planning permission be GRANTED for the following reasons:

This revised proposal in combination with the Section 106 agreement, the local occupancy housing element in the scheme and the reduction of the existing domestic curtilage to Elm Grove by returning part of it to agriculture, effectively outweighs the restrictions on numbers of policy H19, with which it otherwise complies. A reduction in the scale of the properties and a design solution (in terms of layout and appearance and use of materials) which reflects the character of nearby estate cottages, the improved level of on site parking and the landscaping retaining and improving upon the existing characteristic hedgerow boundaries, will result in an acceptable form of development that is considered to comply with policies C2, CN8, C5, G8, and H19, by resulting in replacement dwellings that, (i) will not adversely impact on the character of the settlement designated as a housing restraint area, (ii) there will be no loss of important open spaces which contribute to the special character of the area, (iii) loss of features such as trees, hedges and walls, which contribute to the character of the area will be kept to a minimum (iv) the development will be in keeping with character of the neighbouring properties.

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.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

(2) No development shall commence on site until a sample panel of stonework, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

REASON: In the interests of visual amenity and the character and appearance of the area.

POLICY- [CN 8 and G1 Salisbury District Local Plan]

(3) No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

POLICY- [G1, CN8 Salisbury District Local Plan]

(4) No development shall commence on site until details of the finish to external timber, including any paint or stain to be used on the external walls and window joinery have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being first brought into use.

REASON: In the interests of visual amenity and the character and appearance of the area.

POLICY-[G1, CN8, Salisbury District Local Plan]

(5) No works shall commence on site until details of all new rainwater goods (which shall be finished in black) and their means of fixing to the building have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the character and appearance of the Conservation Area.

POLICY- G1, CN8 [Salisbury District Local Plan]

(6) No works shall commence on site until details of all new external windows and door joinery have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include depth of reveal, details of heads, sills and lintels, elevations at a scale of not less than 1:10 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2. The works shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

POLICY- [G1, CN8 Salisbury District Local Plan]

(7) No development shall commence on site until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being/ brought into use

REASON: In the interests of visual amenity and the character and

appearance of the area.

POLICY-[G1, CN8 Salisbury District Local Plan]

(8) No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- (a) indications of all existing trees and hedgerows on the land;
- (b) details of any to be retained, together with measures for their protection in the course of development;
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- (d) finished levels and contours;
- (e) means of enclosure;
- (f) car park layouts;
- (g) other vehicle and pedestrian access and circulation areas;
- (h) hard surfacing materials;

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

POLICY- [G1,CN8,C4 Salisbury District Local Plan]

(9) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

POLICY- [G1,CN8,C4 Salisbury District Local Plan]

(10) The development hereby permitted shall not be first brought into use until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or

gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

POLICY- [G1 Salisbury District Local Plan]

(11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations and in the interest of the visual amenity of the conservation area..

POLICY- [G1 Salisbury District Local Plan]

(12)Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the roofs of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

POLICY- [G1,CN8 Salisbury District Local Plan]

(13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the elevation(s) of the development hereby permitted.

REASON: In the interests of residential and general amenity.

POLICY-[G1,CN8 Salisbury District Local Plan]

(14) No development shall commence on site until all the existing buildings on site have been permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.

REASON: In the interests of the character and appearance of the area [and neighbouring amenities].

POLICY-CN8,CN9 Salisbury District local Plan

(15) The development hereby permitted shall not be occupied until the approved sewage disposal drainage works have been completed in accordance with the submitted and approved details.

REASON: To ensure that the development is provided with a satisfactory means of drainage.

POLICY- [G6, G8 Salisbury District Local Plan]

(16) No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

POLICY- [G6, G8 Salisbury District Local Plan]

(17) The development hereby approved shall be carried out in strict accordance with the documents and plans submitted with the application set out in the list below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application.

Covering letter dated 31st August 2010

Location Plan: Drawing No 1114/26A and 1114/17B

Roof Plan: Drawing No: 1114/23C

West and East Facing Elevations Drawing No: 1114/21B and 1114/22D

Ground and First Floor Plans House 1,2,3,4 Drawing No: 1114/14/F

South Facing Elevation Drawing No: 1114/12H

North Facing Elevation Drawing No: 1114/16F

Site Sections Drawing No: 1114/27C

Site Plan Drawing No: 1114/20K

Reason: For the avoidance of any doubt as to the approved plans and details.

INFORMATIVE

If a new septic tank/ Treatment plant is the only feasible option for the disposal of foul water, or if there is an increase in effluent volume into the existing system, an Environmental Permit may be required. This must be obtained from us before any discharge occurs and before any development commences. The process can take up to four months to complete and no guarantee can be given regarding the eventual outcome of an application. The applicant is advised to contact us on 08708506506 for further details on Environmental Permits or visit <http://www.environment-agency.gov.uk/business/topics/permitting/default.aspx>.

NOTE TO APPLICANT

If you want to discharge treated sewage effluent, to a river, stream, estuary or the sea and the volume is 5 cubic meters per day or less, you might be eligible for an exemption rather than a permit. Similarly, if you want to discharge sewage to ground water via a drainage field or infiltration system, and the volume is 2 cubic metres per day or less, you may be eligible for an exemption rather than a permit. Please note this Environmental Permit may be subject to an Appropriate Assessment under the Habitat Directive, which would involve consultation with, and agreement from, Natural England. This is likely to apply if it is proposed to discharge into a water course that is within or up to 3 km upstream of a SAC, SPA, Ramsar or SSSI. This may also apply if it is proposed to discharge into the ground (1) within 250m of a SAC, Ramsar or SSSI.

INFORMATIVE

Regarding water supply there is a water main in the vicinity of the proposal. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory supply of water for the proposal. This can be agreed at the detail design stage.

It is recommended that the developer should agree with Wessex Water prior to the commencement of any works on site.

The developer should also be aware of the importance of checking with Wessex Water to ascertain whether there may be any uncharted sewers or water mains within or very near to the site. If any such apparatus exists, applicants should plot the exact position on the design site layout to assess the implications. Please note that the grant of planning permission does not where apparatus will be affected, change Wessex Water's ability to seek agreement as to the carrying out of diversionary and/or conditioned protection works at the applicant's expense or, in default of such agreement, the right to prevent the carrying out of any such development proposals as may affect its apparatus.

Wessex Water, Claverton Down Bath BA2 7WW Telephone 01225 526000

8. **Urgent Items**

The Committee considered the need for a site visit to application number S/2010/1247 - Brockhurst, White Road, Mere.

Resolved:

That a site visit be organised to take place prior to consideration of this item at committee.

9. **Exclusion of the Press and Public**

Resolved:

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in minute no. 142 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 1 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

10. **The Old Coach House, East Grimstead.**

The planning officer presented the confidential report in respect of enforcement at the above site.

Resolved:

To agree the recommendations set out in the report as amended.

(Duration of meeting: 6.00pm - 8.25 pm)

The Officer who has produced these minutes is Pam Denton, Senior Democratic Services Officer, of Democratic Services, direct line (01225) 718371, e-mail pam.denton@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

WILTSHIRE COUNCIL

SOUTHERN AREA PLANNING COMMITTEE 10 February 2011

FULL PLANNING APPLICATION S/2008/0572 REVISED APPLICATION TO S/2007/1865 DEMOLITION OF ALL BUILDINGS & REDEVELOPMENT TO FORM A CLASS A1 FOODSTORE WITH ASSOCIATED PARKING & LANDSCAPING & ALTERATIONS TO ACCESS INSTALLATION OF WIND TURBINE AT 140 LONDON ROAD AMESBURY SP4 7EQ. APPLICATION DETERMINED BY INQUIRY.

1. Report Summary:

- 1.1 To advise members of a proposed change to the s.106 agreement associated with the above planning application, in relation to the provision of a bus service for the above store.

2. Considerations:

- 2.1 The background to this report is the resolution of the former Salisbury District Council's, Northern Area Committee to grant planning permission for the above use of land at 140 London Road, Amesbury for a Tesco retail store, including landscaping and alterations, modelling and drainage works. This and another application (for an Asda store at Solstice Park, application reference S/2007/2226) were called in for determination by the Secretary of State at a public inquiry in January 2009. The public inquiry lasted for three weeks, with a further week in April 2009. The inspector's report of the issues was published on 23rd July 2009 and on 22nd September 2009 the Secretary of State granted permission for the Tesco store whilst refusing permission for the Asda store.

- 2.2 The grant of permission for the Tesco store was subject to a s.106 agreement relating to a number of matters these were -

- (1) A contribution of £150,000 towards a pedestrian/cycle link from London Road to Bulford
- (2) The provision of a new circular bus service
- (3) A contribution of £50,000 towards new improved pedestrian access to the town centre
- (4) Off site highway works
- (5) The provision of a board displaying the history of the site
- (6) The routing of delivery vehicles

The existing situation:

- 2.3 It is the provision of a new circular bus route around the town of Amesbury that is the subject of this report. The s.106 legal agreement entered into by Tesco with the Council required that upon the occupation of the store, Tesco would run a new circular bus route on a route contained on the map within the s.106 agreement (see appendix one) to run between the hours of 09.30 and 18.00 Mondays – Saturdays six days a week at a 20 minute frequency.
- 2.4 Provision was also made in the s.106 agreement for a bus service to operate on Sundays for a period of four hours on a similar route to that contained at appendix one. These services were to run to the Tesco store for the duration that the store was occupied (in perpetuity). These provisions are currently in breach.
- 2.5 There is contained within the s.106 agreement a mechanism for the bus service to be reviewed which would include the frequency, route, timings and continuing operation or otherwise of the bus service. The review is to ensure that the bus service is well used and environmentally sustainable.
- 2.6 Late last year at the time that Tesco were opening the store, they approached the Council's transport section with a view to changing the arrangements made for the bus service. Tesco offered a lump sum one off payment of £500,000 for the running of a bus service around the town and to the store, instead of the in perpetuity proposal in the s.106 agreement. The Passenger Transport Unit officer estimates that this will allow the bus to run for a period of about seven years when combined with other payments from the nearby Archers Gate development.
- 2.7 The new route would, in addition to the areas of the town already covered by the route in the s.106 agreement also cover the areas of Archers Gate and Solstice Park. It would run at a thirty minute interval as opposed to the twenty minute interval that is envisaged in the S106 agreement. The Passenger Transport Unit have agreed that they would be able to recommend this approach.
- 2.8 Wiltshire Community Transport have now purchased an 18 seat new bus for use on the proposed new route (see appendix 2). The route is registered to operate from 1st February 2011. However it is presently not operating and has not operated since the new Tesco store opened at the end of last year meaning that the store has been occupied in breach of the s.106 agreement.

The agreed and proposed schemes

- 2.9 It is the view of officers that there are benefits to both the agreed scheme as contained in the s.106 agreement and the proposed scheme . The differences are listed below –

	As Agreed in existing S106	As now proposed
Frequency	Every 20 mins	Every 30 mins

Operating hours	09:30 – 18:00	07:30 -18:00
Duration of service	In perpetuity subject to review mechanism	
Route served	Route around the town centre of Amesbury	Route to include Solstice Park and Archers Gate
No. of vehicles used	one	one
Function	To bring customers to Tesco	wider- To take passengers to work at Solstice Park and to access the Tesco Store.
Advantages	Bus would have run from the occupation of the store enabling customers and staff to get into the habit of bus use from day one. However this has not materialised in that the bus has not operated .	the ability to run the service is guaranteed for as long as the funding from the £500,000 lasts. More places are served. Areas would be served that do not currently have access to a bus route. Community use of the bus would be available on the day the service doesn't operate (Sunday)
Disadvantages	If the bus is not 'well used' it could cease operation within a short time.	The extension of the service to Archers Gate could impact upon the attractiveness to operators of the new retail units constructed there. A reduced frequency makes the service less attractive to users . A longer route makes the service more liable to disruption .

2.10 The views of the Passenger Transport Unit have been sought in respect of the revised arrangements and they have commented as follows -

The bus service proposed by Tesco in the current s106 agreement was for a circular service operating every 20 minutes around the Amesbury and Boscombe Down area between 9.30 am and 6pm, using just one vehicle. This route, however, was felt by Wiltshire Council officers to be inadequate as it mainly operated along roads already covered by bus services

operated by the Wilts & Dorset bus company and left areas such as the new Archers Gate estate completely unserved.

Discussions between Tesco, South Wiltshire Community Transport (who are to operate the bus service on behalf of Tesco) and the Council's Passenger Transport Unit, identified a more comprehensive routing which would encompass Archers Gate as well as other unserved parts of Amesbury and which could still be operated by one vehicle, albeit in a timetable running every 30, rather than every 20 minutes. This revised timetable will also give the bus time to penetrate more of Amesbury town centre and reduce the risk of passengers being abstracted from the existing Wilts & Dorset bus services in the area. The opportunity has also been taken to incorporate into the new timetable, the existing free bus service to the Solstice Park Business Park which has enabled the Tesco service to start much earlier than was originally envisaged and provide a service that is suitable for people living and working in the Amesbury area, as well as for shoppers.

This new timetable has therefore been registered for introduction from 1st February 2011 on an experimental basis and will be monitored closely to see that it matches the needs of customers. It is therefore recommended that permission be given for the s106 agreement to be varied to incorporate this revised route and timetable as it would benefit a greater number of residents in the Amesbury area.

- 2.11 Officers having considered the pros and cons of both schemes and the comments of the Passenger Transport Unit who have viewed the new scheme feel that on balance the benefits of the revisions to the timetable, route and payment outweigh the negative issues and therefore that the new arrangements should be incorporated in a legal agreement. Given that the route is due to commence on the 1st February 2011 and that a vehicle has been purchased there may be some difficulty in reverting to the original agreement.

3. Options for consideration:

3.1

Option 1 Members resolve to delegate to officers the changes proposed to the s.106 agreement as set out in the above report

Option 2 Members decline to change the signed s.106 agreement and resolve to keep the route, timing and payment proposed previously in the s.106 agreement.

Recommendation:

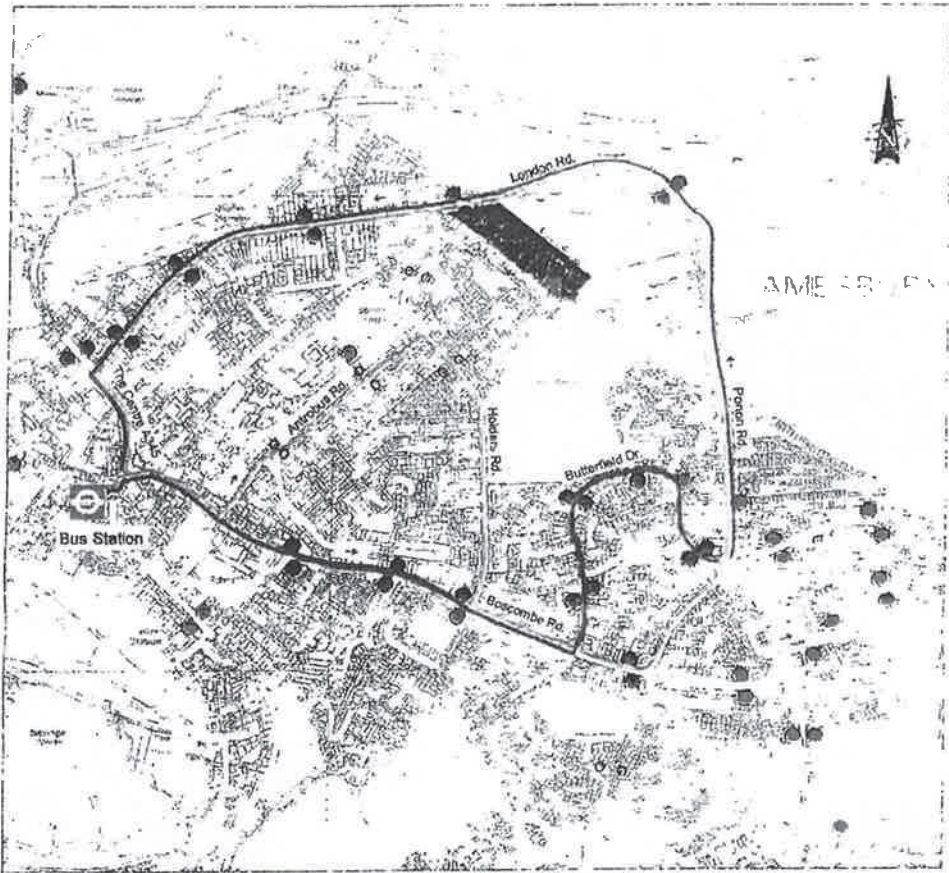
That members resolve to follow **option one** to change the provisions previously secured in the s.106 agreement and to agree the changes to allow the new route, timetable and payment as set out in the above report.

Should members not follow option 1 then a report to consider enforcement action will be brought back to a subsequent Southern area committee.

4. **Appendices:**

- 1) The route of the bus as proposed in the agreed s106.
- 2) The revised route as proposed

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- Key**
- Site Location
 - Proposed Bus Route T1
 - Proposed Bus Route T2
 - Bus Stop
 - Bus Stop currently not in use

TESCO Amesbury Timetable

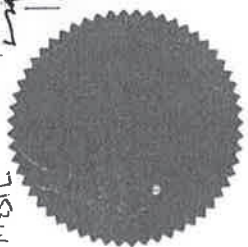
Monday to Saturday

	T1	T2	T1	T2	T1	T2	T1	T2
TESCO Store	0940	1000	1020	1040			1700	1720
London Road	0942	1002	1022	1042			1702	1722
Amesbury Bus Station	0930	0945	1005	1045	Then		1705	1745
Antrobus Road	0947		1027		every		1707	1747
Holtes Rd/Orchard Way	0948		1028		10		1708	1748
Boscombe/Millgreen	0992		1007		min.			1727
Boscombe/Butterfield	0933	0950	1008	1048			1710	1728
Parton Rd	0935	0952	1010	1050			1712	1730
TESCO Store	0940	0957	1015	1055			1717	1735

TESCO	Client	SG	Checked	BP	Approved	BP	REV	DATE	AMENDMENT	DATE	BY
	Project	Scale @ A4	01/12/08			01/12/08	1		Waterman Boreham Ltd Project House Hubert Road Blandford Dorset		
	Title	1:10000				10-Dec-08			Waterman Boreham Transport Planning		
		Project No									
		208302									
		Drawing No									
		44									
		Team									
		D									

ROUTE PLAN

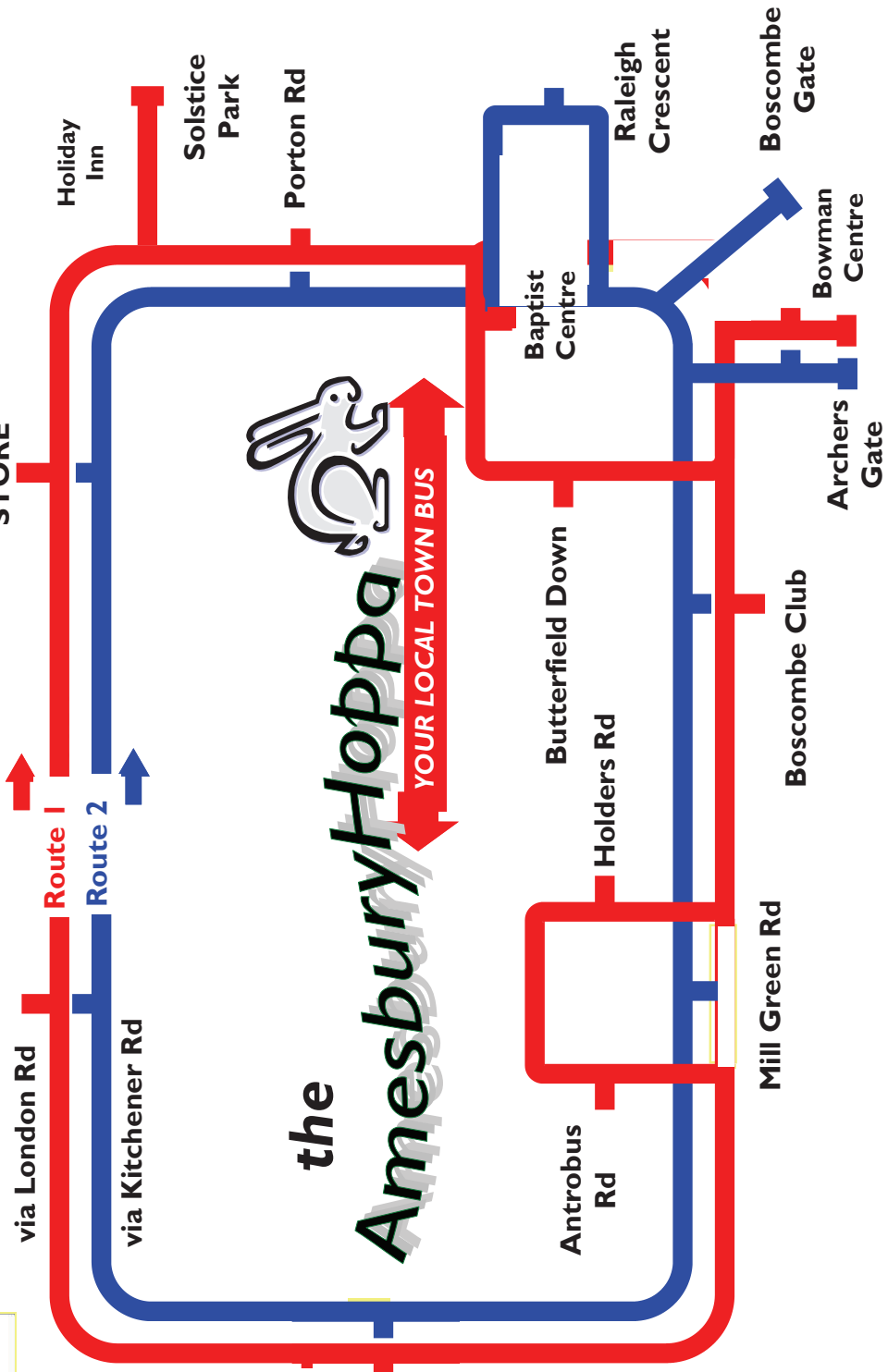
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WILTSHIRE COUNCIL

SOUTHERN AREA PLANNING COMMITTEE

10 February 2011

Consultation by Dorset County Council: Planning application for gypsy and traveller site on land to the south/east of the Dorset County A30 Depot site, Salisbury Road, Shaftesbury.

Purpose of Report

1. To seek the Committee's views on the Council's response to consultation by Dorset County Council on the planning application submitted in respect of the above proposal/site.
2. The site lies a short distance from the administrative boundary between Dorset and Wiltshire. Donhead St. Mary Parish Council is the closest Parish Council within Wiltshire. The Parish Council's response to consultation on the application by Dorset CC will be reported as late correspondence as this has not been received prior to the report deadline.
3. Councillor Deane has requested that this matter be considered by the Area Committee due to the controversial nature of the proposal and the likely effects on the adjacent area within Wiltshire.

Background

4. A planning application has been submitted by Dorset CC for the development of a gypsy and traveller site at the above address. The application will also be decided by the County Council. This Council has been consulted on the application (which also lies within the North Dorset District Council area) in view of the proximity of the site with the Wiltshire boundary (around 200 metres to the east- parish of Donhead St. Mary).
5. The site is on land to the south of the A30, on the eastern side of Shaftesbury opposite an ongoing large- scale residential development. The site is relatively flat, is currently laid to grass and extends to around 1.28 hectares. To the east of the site is existing housing; whilst to the west is an old landfill site, on which is an existing small gypsy site and a highways depot. The whole of this area is allocated for future employment use.
6. The proposal refers to the construction of eight caravan pitches with hard standings, services and drainage points, two amenity blocks (serving four pitches) a management building (both under green roofs), refuse/recycling area and grassed areas including a play area. Two metre high palisade fencing would be constructed along the site boundaries behind earth

bunding of similar height, to be constructed to the north and east. The site would be accessed from the A30 via the existing access to the gypsy site and highway depot, which would be improved.

7. A ten-year temporary planning permission is sought, as the site lies on the route of a proposed A350 outer bypass and whilst the scheme does not currently feature in any capital programme, the route is safeguarded.
8. Dorset County Council has secured funding from the Homes and Communities Agency to carry out the development.

Considerations

Need for gypsy and traveller accommodation in the locality and policy background

9. The background is complex and is set out in the Design and Access Statement which accompanied the application. In summary, the available evidence including Dorset's Gypsy and Traveller Accommodation Assessment (completed March 2007), North Dorset LDF Evidence Base, records of unauthorised sites and the bi-annual caravan count, suggests there is an unmet need for at least 20 pitches by 2011 in the North Dorset authority area, with a specific need for additional pitches within the Shaftesbury/Gillingham area.
10. The proposal therefore would make a contribution to meeting unmet demand for such sites. However this would appear to be partly offset by the pitches lost through the eventual redevelopment of the existing site to the west (around 5 pitches, 3 of which appeared to be occupied at the time of the Officer site visit).
11. Whilst the government has signalled its intention to replace Circular 01/06 concerning gypsy and traveller site provision, this nevertheless remains a material consideration at present. In assessing the application in accordance with circular advice, Dorset CC will have to, amongst other things assess the need for accommodation in the locality. The circular encourages developing gypsy and traveller sites in sustainable locations in or near existing settlements with access to local services, e.g. shops, doctors and schools. Whilst the effects of noise and disturbance from vehicles coming and going to the site or activities thereon can be a consideration, applications should not be refused on highway safety grounds where there is only a modest increase in vehicle movements.
12. In the North Dorset District -Wide Local Plan 2011 (adopted January 2003), the site is not subject to any designations apart from the A350 improvement route safeguarding. Whilst the site lies outside of the settlement boundary for Shaftesbury, this does not exclude the principle of a gypsy and traveller site, subject to other policy considerations. The most relevant policies in the Plan include policies 1.8 which sets out general

development criteria, 1.33 landscape character areas and 1.40 landscaping and 2.21 concerning proposals for gypsy and traveller sites.

Site specific issues

13. The site is considered to be in a sustainable location, being well located to make the best use of public transport along the A30 and the good range of facilities and services within the town of Shaftesbury.
14. As noted above, the site does not lie in a nationally designated area (such as an AONB, for example) and its context is dominated by the ongoing large -scale residential development opposite and the highways depot adjacent, with residential and commercial property to the east. The site itself is fronted by a mature but poor quality outgrown hedge, with little public view into the site. Consequently, the site and surroundings currently have a semi -rural character not atypical of many urban fringe locations.
15. The proposal entails substantial screening works and landscape planting mainly along the north and east boundaries, with the retention of existing planting along the road frontage and elsewhere. As a result there would be very limited views into the development once completed. The proposed palisade fencing would largely be obscured from public view by the proposed bunding/planting and overall it is considered that there would be no adverse effect on the character and appearance of the surroundings.
16. Given the significant distance to the nearest existing residential property to the east (around 40 metres from the pitches), with a proposed bund and open undeveloped land separating them and; subject to controls over commercial activities on the site, it is considered that the proposal would not adversely affect neighbouring residential amenities through increased noise and disturbance.
17. A noise report has concluded that whilst noise levels from traffic on the A30 are high, mitigation in the form of the earth bunding and construction materials can be used to mitigate impacts and reduce road noise experienced by incoming residents to an acceptable level in accordance with the guidance in PPG 24.
18. Studies also submitted with the application including an ecology report, drainage report and transport assessment indicate that respectively there would no adverse impact on the wildlife interest of the site, proposed foul and surface water drainage arrangements are acceptable and that the increased number of traffic movements across the improved junction with the A30 would be minimal and would not detract from highway safety conditions. Further improvements to the A30 are proposed in future as part of the employment and residential development of land to the west; these include a signal controlled junction and pedestrian crossing.
19. A contamination study submitted suggests that the site should be the subject of a further investigation prior to any development taking place.

However it would appear that any contamination (largely arising from the former landfill site to the west-over which the access runs), would not in principle preclude development of the site.

20. The ten-year temporary permission sought need not preclude delivery of improvements to the A350 at some stage in the future, if funding were forthcoming. The use of a temporary permission in such circumstances is considered appropriate in circular 01/06.
21. According to the information accompanying the application, alternative sites, including existing unauthorised sites, would either not appear to be suitable to meet the identified need due to location and sustainability factors, protective designations or ownership issues, or; could not be delivered in the same timeframe as that envisaged with this proposal which has been designed to tackle a current and ongoing need.
22. In the event that the application were not approved, current levels of unmet need would remain, which may make enforcement more difficult even on some unsuitable sites. This would be of some relevance to Wiltshire as there is evidence of gypsies and travellers reliant on Shaftesbury for employment and services setting up unauthorised encampments in Wiltshire (in particular in and around the Semley area).

Conclusions

23. For all the above reasons, Officers consider that there is no sound planning reason to object to the proposal, as it appears to be consistent with relevant national and local plan policies including policy 2.21 of the NDDWLP and the advice in Circular 01/06.
24. In the event that planning permission is granted for the development, it should be recommended that conditions are imposed, including: limiting the duration of the permission for 10 years; requiring removal of any contamination prior to occupation; requiring the carrying out of the screening/ noise attenuation works prior to occupation; restricting occupancy to individual/s who meet the definition of a gypsy or traveller; restricting the extent commercial activities, securing the implementation of the landscape planting proposed and use of a suitably coloured palisade fence (not galvanised).

Recommendation

That NO OBJECTION is raised to the proposals subject to appropriate conditions as described in paragraph 24 above being imposed.

Report Author:

Stephen Hawkins, Lead Principal Planning Enforcement Officer.

Date of report 10th February 2011

Background Papers

The following unpublished documents have been relied on in the preparation of this report:

None

Appendices

None

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APPEALS

Appeal Decisions

Application Number	Site	Appeal Type	Delegated/ Committee	Decision	Overturn	Costs
S/2010/0628	32 Winchester Street, Salisbury	WR	DEL	ALLOWED	NO	NO
S/2010/1137	Mobile Catering Unit – land adjacent The Packway, Larkhill	WR	DEL	DISMISSED	NO	NO
S/2010/1025	Land adj. 18 Folkestone Road, Salisbury	WR	DEL	DISMISSED	NO	Refused
S/2010/1318	Waters Edge, Hackthorne Road, Durrington	HH	DEL	DISMISSED	NO	NO
S/2010/1062	45 Castle Road Salisbury	HH	DEL	ALLOWED	NO	NO
S/2010/1016	Old School High Street Maiden Bradley	HH	DEL	DISMISSED	NO	NO

New Appeals

Application Number	Site	Appeal Type	Delegated/ Committee	Decision	Overturn	Costs Applied for?
S/2010/0893	GOLDEN COTTAGE MEAD END BOWERCHALKE	H	DEL			
S/2009/1943	LAND NORTH, WEST AND SOUTH OF BISHOPDOWN FARM	LI				

WR Written Representations
HH Fastrack Householder Appeal
H Hearing Local Inquiry

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Agenda Item 9

INDEX OF APPLICATIONS ON 10 February 2011

	APPLICATION	SITE LOCATION	DEVELOPMENT	RECOMMENDATION	DIVISION MEMBER
1	S/2010/1247 <i>Site Visit: 3.45pm</i>	Brockhurst, White Road, Mere, BA126EX	New Detached Dwelling	Approve With Conditions	Cllr George Jeans
2	S/2010/1285N	Open Site Behind Antrobus Hotel, Kings Arms Inn And Lloyds Bank Salisbury Street Amesbury SP4 7AW	Development Of 13 Retirement Houses Including Provision Of Car Parking And Landscaped Areas	Approve Subject To R3 Agreement And Conditions	Cllr Fred Westmoreland
3	S/2010/1719 <i>Site Visit: 4.30pm</i>	Long Craggs, Church Street, Bowerchalke, SP5 5BE	Addition of first floor including raising of the roof with associated works and single storey extension to the east elevation	Approve With Conditions	Cllr Jose Green
4	S/2010/1750	Site next to Rose & Crown, High Street, Bulford, SP4 9DS	Erection of a single three bed detached dwelling house and formation of new access to High Street	Approve With Conditions	Cllr John Smale
5	S/2010/1713	Summerfield House, Berwick St. James, SP3 4TQ	To demolish and clear the existing derelict poultry sheds, silos, dwelling and various outbuildings and the construction of a replacement dwelling, stables, menage, office building, storage building, new access and landscaping	Approve With Conditions	Cllr Ian West
6	S/2010/1764	Former Wilton Middle School Site, The Hollows, Wilton, SP2 0JD	New youth services and public protection buildings, associated carparking and external works	Approve With Conditions	Cllr Richard Beattie

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Agenda Item 9a

Deadline	20-Oct-2010		
Application Number:	S/2010/1247		
Site Address:	Brockhurst White Road Mere Warminster BA126EX		
Proposal:	New detached dwelling		
Applicant/ Agent:	Mr R Rogers		
Parish:	Mere		
Grid Reference:	381777 132768		
Type of Application:	Full		
Conservation Area:		LB Grade:	
Case Officer:	Charlie Bruce-White	Contact Number:	01722 434682

Reason for the application being considered by Committee:

The Area Development Manager (South) does not consider it prudent to exercise delegated powers given objections raised by the Parish Council and recent changes in Government guidance concerning minimum housing density figures and the re-classification of residential gardens.

1. Purpose of Report

To consider the above application and the recommendation of the Case Officer that planning permission be APPROVED subject to conditions

Neighbourhood Responses

3 letters of objection/concern were received.

Parish Council Response

Object.

4. Planning History

<i>App. No.</i>	<i>Proposal</i>	<i>Decision</i>	<i>Date</i>
05/2314	New vehicular access at Baycroft onto Chetcombe Road	AC	05.01.96
07/1944	Erect 2 detached dwellings	AC	15.11.07
08/1446	Erect new dwelling attached to Brockhurst	REF	13/10/08

The most recent application was refused for the following reasons:

- 1) *Due to the positioning of first floor windows and the proximity of the proposed dwelling to the garden of a neighbouring property to the north, the development would result in an unacceptable loss of amenity to the property known as "Gleanings". The development would therefore be contrary to the aims and objectives of PPS3 and*

saved policy G2 of the adopted Salisbury District Local Plan.

- 2) *Due to previous records of bats within the roof space of the existing dwelling, and the potential for the development to affect its roof structure, it is not considered that a judgement can be made on whether protected species would be materially affected without the benefit of appropriate survey evidence and/or mitigation. No such survey has been provided by the applicant and consequently the development would be contrary to the aims and objectives of PPS9, saved policy C12 of the adopted Salisbury District Local Plan, and policy C3 of the adopted Wiltshire & Swindon Structure Plan.*
- 3) *The proposed residential development is considered by the Local Planning Authority to be contrary to policy R2 of the adopted Salisbury District Local Plan because appropriate provision towards public recreational open space has not been made.*

5. The Proposal

It is proposed to erect a detached dwelling to the west side of Brockhurst.

6. Planning Policy

The following development plan policies and Government guidance are considered relevant to this proposal:

- Local Plan policies G1, G2, D2, H16, TR11, TR14, R2
- PPS3, PPG13

7. Consultations

Highways Officer

No objection

Parish Council

Object due to overdevelopment of site, lack of amenity space, lack of parking/turning space, inappropriate vehicular access, detrimental affect upon neighbouring dwellings including Merendi and Gleanings.

8. Publicity

3 letters of representation were received, objecting to the proposal on the following grounds:

- Overdevelopment of site;
- Loss of light and privacy to neighbouring dwellings;
- Inadequate parking/turning facilities;
- Inappropriate access.

1 additional letter was received in relation to the amended parking layout, raising the following objections:

- emphasises the lack of space that originally existed for parking purposes;
- does nothing to address the problem of there being insufficient accessibility along the access track for further vehicles;
- parking layout would be likely to result in disagreements over spaces both within the site and in the stated turning area.

9. Planning Considerations

9.1 Principle of development

The site is within the Housing Policy Boundary where the principle of new residential development is acceptable, subject to the criteria as set out in Policy H16 of the Local Plan. Of particular importance is that the proposal should not constitute inappropriate backland development and should not result in the loss of an open area which contributes to the character of the area.

Policy D2 of the Local Plan states that the design of the proposal should respect the character of the area, with particular regard to building lines, scale and height and plot widths.

PPS3 seeks to direct new housing development towards sustainable locations and to provide quality housing that positively contributes to the local environment and needs of communities. Recent changes to the PPS have removed minimum density requirements and excluded residential gardens from the definition of previously developed land. However, the site is within a settlement where development is acceptable in principle, and it is not considered that the proposal should be resisted as unacceptable “garden grabbing” subject to according with other planning objectives noted above.

9.2 Character and appearance of the area

The site is situated within a backland location, to the rear of properties fronting onto Chetcombe Road and White Road. Here exists a dwelling known as Brockhurst and a further two detached dwellings that have recently been constructed within a loose courtyard type layout. The part of the site subject to the current development lies immediately to the west of Brockhurst, in between its side elevation and the boundary with a neighbouring bungalow known as Merendi. This area currently comprises part of the garden to Brockhurst, as well as a parking area and detached garage to this dwelling.

The main body of the new dwelling would be constructed broadly in line with Brockhurst, but with a single storey rear projecting extension. To the front would be a parking area for two cars and to the rear a modest sized garden, approximately 40 sq metres in area. A distance of approximately 1 metre would separate the sides of the new dwelling and Brockhurst, and likewise a similar distance would be left between the boundary with Merendi, although this latter dwelling is situated at least 6 metres away from the same boundary. The new dwelling would therefore have a close visual relationship with Brockhurst, although its reduced ridge and eaves height, together with its modern architectural details, would clearly distinguish the new dwelling from its neighbour. At the same time, however, the render, roof tiles and red feature corner bricks proposed would distinctly relate to the two new dwellings constructed nearby. The plot sizes of the new dwelling and Brockhurst would also relate well to those created within the two other dwellings. From within the site itself, the proposal would

therefore be in keeping with the existing development, and would reinforce the courtyard layout.

It is acknowledged that the density of development would be far greater than other dwellings in the immediate vicinity of the site, particularly those on Chetcombe Road, which is characterised by bungalows set within generous sized plots with road frontages. However, in the wider context of the character of the area, the development would only be glimpsed from behind these dwellings, and the resulting increase in density would have limited visual affect on the character of Chetcombe Road.

9.3 Living environment of future & existing occupiers

New dwelling

The new accommodation would be of a modest size, but would provide an appropriate layout and space for a two bed dwelling, including 40 sq m garden and two off-street car parking spaces.

Brockhurst

The bulk of the new dwelling would be built in line with the side of Brockhurst, which only has a single obscure glazed WC window within its facing side elevation. Consequently it is not considered that the new dwelling would have an unacceptable overbearing or overshadowing affect on Brockhurst.

Although the garden and parking area to Brockhurst would be substantially reduced, there would still be reasonable parking facilities and an 80 sq m rear garden provided.

Gleanings

This is the dwelling situated immediately to the north of the site. The occupant of this dwelling has raised concerns over loss of light and privacy. The rear wall of the two storey part of the new dwelling would be between approximately 5.75 and 6.4 metres from the boundary with this property, fronting onto the neighbour's garden, and the single storey part 2 metres closer respectively. The eaves of the new dwelling would be approximately 4 metres in height, and its pitched roof would slope away from the boundary up to a ridge height of approximately 6.5 metres. The single storey extension would have eaves of approximately 2.5 metres in height, with a gable roof facing onto Gleanings with its ridge measuring approximately 3.5 metres.

Although the new dwelling would be clearly visible from the garden of Gleanings, given its overall modest bulk and height, and the otherwise reasonably open aspects of the neighbouring property to the north and west, it is not considered that the new dwelling would have an unduly overbearing impact. Being situated directly to the south of Gleanings, it is acknowledged that the new dwelling could result in a degree of overshadowing to the neighbouring property when the sun is at its lowest during the winter months. However, such loss of light would be relatively limited bearing in mind the modest scale of the dwelling and distance of separation, and it is not considered that the living environment would be significantly reduced to an unacceptable level. With regards to privacy, the facing rear elevation of the dwelling would only have high level roof lights at first floor level, which would not permit views down into the neighbouring property.

Merendi

This is the dwelling situated immediately to the west of the site. The occupant of this dwelling has raised concerns that the proposal would result in a loss of privacy and light, and would have an overbearing impact. However, having examined the siting, orientation and layout of Merendi, it is not considered that the bulk of the new dwelling would have such an unacceptable impact so as to warrant refusal. Neither would privacy be significantly affected due to the omission of first floor windows in the west facing elevation.

9.4 Highways implications

The Highways Officer has raised no objection to the proposed development. It is noted that the roadway leading onto White Road is narrow, although the number of dwellings using it would not be substantial, and its visibility at its junction with White Road is adequate.

Off street parking provision is considered sufficient, at two spaces per dwelling, including Brockhurst, which is in accordance with parking standards contained within the Local Plan. It should be noted that an amended parking layout was submitted during the course of the application, in order to address a concern of neighbours with regards to a parking space contained within a shared access area of the site adjacent to Merendi. This space has been omitted and replaced by an additional space within the courtyard of the new development.

Given that the Highways Officer raises no objection and the level of car parking provided is set at two spaces per dwelling, it is not considered that the Local Planning Authority could reasonably refuse the application on highway related grounds.

9.5 Other matters

If it is resolved to approve the application a financial contribution towards off-site recreational open space will be required in accordance with policy R2.

Protected species are not considered to be a material consideration given that the roof space of Brockhurst, which has records of roosting bats, is to be unaffected by this proposal for a new detached dwelling.

10. Conclusion

The proposed dwelling would be acceptable in principle, being sited within a sustainable location within the Mere Housing Policy Boundary. The design would visually integrate with the existing immediate surrounding development and there would be no significant impact upon the character and appearance of the wider area. The site would have adequate vehicular access and off-street car parking facilities at 2 spaces per dwelling. Due to the dwelling's relatively modest scale and height, and the design and positioning of first floor windows, there would be no significant impact upon the amenity of neighbours.

RECOMMENDATION

That subject to the applicant entering into a section 106 legal agreement to secure the appropriate financial contribution towards off-site recreational open space

That the application be APPROVED for the following reasons:

The proposed dwelling would be acceptable in principle, being sited within a sustainable location within the Mere Housing Policy Boundary. The design would visually integrate with

the existing immediate surrounding development and there would be no significant impact upon the character and appearance of the wider area. The site would have adequate vehicular access and off-street car parking facilities at 2 spaces per dwelling. Due to the dwelling's relatively modest scale and height, and the design and positioning of first floor windows, there would be no significant impact upon the amenity of neighbours. The proposal would therefore accord with the aims and objectives of the development plan and Government guidance, having particular regard to Local Plan policies G1, G2, D2, H16, TR11, R2 and guidance contained within PPS3.

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.

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.

- 2) This decision relates to documents/plans submitted with the application, listed below:

Plan Ref....1069/10A....	Date Received....25.08.10....
Plan Ref....1069/11B....	Date Received....25.08.10....
Plan Ref....1069/12D....	Date Received....20.12.10....

- 3) No development shall commence on site until written details of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the local planning authority. Where so requested by the local planning authority, samples of materials shall be provided on site for further written agreement. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and the character and appearance of the area.

Policy: D2

- 4) No development shall take place until the car parking spaces for Brockhurst, Plot 1 and Plot 2 have been constructed and made available for use in accordance with drg. no. 1069/12D received on 20.12.10.

Reason: To ensure adequate parking facilities are available in the interests of highways safety and amenity.

Policy: G2

- 5) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. Hard landscaping works shall be carried out as approved prior to first occupation of the dwelling. All planting, seeding or turfing comprised in the approved details of soft landscaping shall be carried out in the first planting and seeding seasons following the completion of development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and the character and appearance of the area.

Policy: G2

- 6) No development shall commence on site until details of the design and external appearance of all fences, gates, walls, and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

Reason: In the interests of visual amenity and the character and appearance of the area.

Policy: G2

- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no first floor windows or other form of openings other than those shown on the approved plans, shall be inserted in the north or west elevations of the development hereby permitted.

Reason: In the interests of residential amenity.

Policy: G2

- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

Reason: In the interests of visual and residential amenity.

Policy: G2

- 9) No construction or demolition work shall take place on Sundays or public holidays or outside the hours of 0800 to 1800 weekdays and 0800 to 1300 on Saturdays. This condition shall not apply to the internal fitting out of the buildings.

Reason: In the interests of neighbouring amenity.

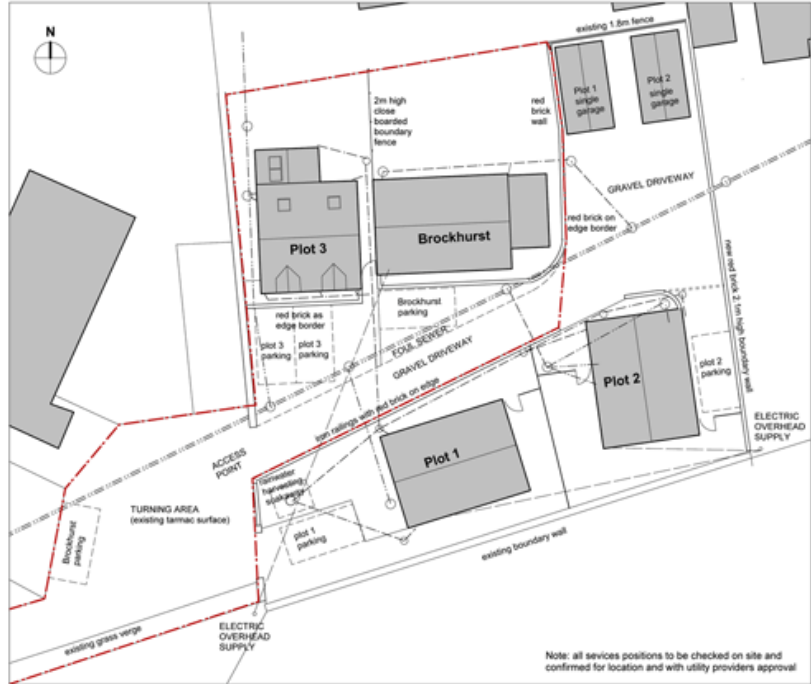
Policy: G2



existing location plan scale 1-1250



proposed block plan scale 1-500



proposed site plan scale 1-200

Note: all services positions to be checked on site and confirmed for location and with utility providers approval

Deadline	03-Dec-2010		
Application Number:	S/2010/1285		
Site Address:	Open Site Behind Antrobus Hotel Kings Arms Inn And Lloyds Bank Salisbury Street Amesbury Salisbury SP4 7AW		
Proposal:	Development of 13 retirement houses including provision of car parking and landscaped areas		
Applicant/ Agent:	Mr A Stocken		
Parish:	Amesbury West		
Grid Reference:	415352 141379		
Type of Application:	Full		
Conservation Area:	Amesbury	LB Grade:	
Case Officer:	Mr A Madge	Contact Number:	01722 434380

Reason for the application being considered by Committee

Councillor Westmoreland has requested that this item be determined by Committee due to:

- Scale of development
- Visual impact upon the surrounding area
- Design – bulk, height, general appearance
- Highway impact

1. Purpose of Report

To consider the above application and to recommend that planning permission be GRANTED subject to conditions

And the applicant be invited to enter an Agreement in respect of the following matters:

(i)R3.....

following completion of which the Area Team Manager (Development Control and Heritage) be authorised to GRANT Planning Permission subject to conditions

Neighbourhood Responses

4 letters received objecting to the proposal

0 letters of support received

0 letters commenting on the application received

Parish/Town/City Council response

Object to the application as set out in page 3 of the report

2. Main Issues

The main issues to consider are :

- 1) Density and amount of development
- 2) impact on the conservation area/listed building
- 3) impact on highways
- 4) impact on trees
- 5) Archaeology
- 6) Design of the development
- 7) Residential amenity overlooking
- 8) Other issues

3. Site Description

The site is an open piece of land to the rear of the Antrobus Arms Hotel in Amesbury. Most of the land formerly was part of the garden to the Antrobus Arms hotel but is now in separate ownership. To the North West of the site is the hotel itself and a pub and nightclub known as the Kings Arms. Next door to this is the Lloyds bank building and all of these face on to Church street. To the North East of the site it backs on to a row of two storey buildings which form shops at the ground floor and residential/office/storage at the first floor.

To the South East the site backs onto a number of smaller two storey residential buildings in flower lane. These buildings are positioned at a lower level with a drop in height of approximately 1 metre and they are behind a high brick wall which itself is approximately two metres in height.

To the west the site is bordered again by a two metre high wall and a detached residential dwelling known as Chelston House.

The site itself is relatively level and is currently for the most part unused although the area to the east behind the bank is still used for informal parking and the Antrobus Arms hotel has rights to park in some of this area. Vehicular and pedestrian access is obtained between buildings in Salisbury Street which is relatively narrow and which there is no passing space.

4. Planning History

Application number	Proposal	Decision
98/2030	Demolition and replacement of existing dwelling together with 8 new dwellings for sheltered housing with access from Salisbury Street.	Withdrawn
99/0685	Extension to dwelling	Approved
99/0764	Six retirement homes and associated car parking	Refused and appeal dismissed
99/2067	Six retirement homes and associated car parking	Refused as 99/0764 and appeal dismissed
2000/1972	Four retirement homes	Approved
2002/1559	Erection of eight retirement homes	Approved

5. The Proposal

The proposal is for the erection of 12 retirement houses (one property having been deleted during the course of the application). The proposal is for a line of 11 dwellings facing towards the rear of properties in Flower lane. This line of properties is staggered and an access runs to the front of the houses for pedestrians and vehicles within the site. All the properties are two storey in height and contain three bedrooms. Each property has a pitched roof in a traditional style.

Dwelling 12 is to be located at the rear of the main terrace/row of properties and faces to the South West. It is orientated differently to other properties in order to avoid overlooking.

Each property will have its own small garden to the rear and a further space to the front.

To the rear beyond each properties own private garden, the properties back on to a large open communal area which is to be maintained by a management company. The significant Beech tree at the rear is to remain as part of the development.

Access is to be from Salisbury street as existing and parking is to be provided for 2 vehicles per property.

The development as a whole would be gated near to its entrance from Salisbury Street and provision made communally near to the entrance for refuse and cycle storage. It should be noted that there is space on the plan for each property to also have its own refuse bin.

The materials are to be a mixture of facing brick and flint panels and wooden doors and windows.

6. Planning Policy

The following policies are considered relevant to this proposal –

Saved policies of the adopted Salisbury district local plan.

G1 proposals achieve an overall pattern of sustainable development

G2 General criteria for development.

G9 Planning obligations

D1 Design criteria for extensive development

D2 Design criteria for infill development

H16 Housing Policy boundaries

H24 Housing for the elderly

H25 Affordable Housing

CN5 Development effecting a listed building

CN8 development which preserves or enhances the character of an area

CN10 loss of open space in the conservation area

CN11 views in and out of the conservation area

CN21 archaeology

CN23 archaeological evaluation

TR11 Provision of off street car parking spaces

R3 recreational space for the elderly

7. Consultations

Town council

Overdevelopment of this site, the Council notes that a previous application for this site approved only 8 houses. The current size of the building plot is a little over an half an acre. PPG3 would indicate that this is very close to the maximum density permitted. This density is not acceptable for retirement homes.

Concern is expressed on the size of the houses and the suitability for retirement homes especially any residents with disabilities.

The layout of the houses would make access to houses 12 and 13 on the plan by emergency services very difficult. It is noted that the proposed refuse store would not be large enough to house recycling bins for all the houses. The applicant states that no street lighting would be provided relying instead of residual lighting from street lights in Salisbury Street and Flower Lane, this it is felt would not be adequate for the site. It is noted that each house would be provided with one outside light, presumably controlled by the occupier, again not adequate for the development.

Of greatest concern to the Council and members of the public who have contacted members of the Council are the access arrangements. In the Transport Assessment the applicant states that the current car park is used by members of the public and that movements are frequent. This is not true. It is not a public car park and is used by the bank and some businesses and it is noted that there are a limited number of spaces available.

By nature of the intended residents it is likely that they will at times require additional help and assistance from care workers etc. The applicant has not made reference to the shared car park just outside the site nor the fact that the shops have deliveries to their store alongside the entrance drive. The entrance to the site is by a private drive way with its egress onto Salisbury Street across a busy pedestrian footpath. It is felt the potential increased vehicle traffic entering and more importantly exiting the site is consider a hazard with a high risk of accidents to pedestrians. It is noted that in the design and access statement the agent states that Wiltshire Library and Museums have no objection and refers to an archaeology evaluation. There is no reference to "no objection" in the documents provided, which are in fact in relation to earlier applications as it is that it is headed "Wiltshire County Council" which of course is now defunct. There is no indication of a commuted sum being made in respect of R2 contribution in respect of open space (£3982 for the earlier application) Additionally there is no reference as to how they will control the use of the houses to retired people only.

Environment Agency

No objections subject to a condition regarding water efficiency, and an informative regarding water efficient systems.

Environmental Health

No objections

Wessex Water

It is recommended prior to the commencement of development that a connection is agreed to the Wessex Water infrastructure.

English Heritage

We are happy to leave a decision on the merits of these proposals in the conservation area to

the discretion of your authority. Considers it important to understand the straddling of the two plots with the removal of the wall (see conservation officers comments below).

Conservation officer

Consider that the proposal would have little or no impact on the listed Kings Arms. Concerns raised about impact of unit 12 and 13 to the boundary wall with the Antrobus Arms hotel (This part of the proposal has subsequently been revised and unit 13 deleted from the scheme).

Given that the wall between the existing car park and the other land appears to be 19th century and not earlier no objections to this part of the proposal. As no works proposed to the access from Salisbury street no objections to the access.

Concerns raised about the density of the proposal (unit 13 has subsequently been deleted). Would like to see the flint as traditionally laid flintwork and not as flint panels. Dissapointing that the windows and doors proposed are of UPVC.

Highways

It is considered that the proposed retirement residential development will not have any significant impact on highway safety and I therefore recommend that no highway objection be raised to it subject to a condition regarding –

The submission of a pedestrian safety scheme for the site

A suitable condition ensuring that the site is not occupied by anyone other than the elderly under the age of 55.

Salisbury Civic Society

Development due to its screened nature would be difficult to class as important open space. Considers development should only be accepted if it meets high design standards.

Considers current proposals do not achieve the high design standards required. Consider the current design would introduce a suburban house type into Amesbury. Considers the site needs an entirely different approach which responds to its character. Does not see the need to adopt a historic architectural approach and an imaginative contemporary design may work better.

Considers that the planning system can at least ask for proposals which enhance the conservation area.

8. Publicity

The application was advertised by site notice/press notice /neighbour notification
Expiry date 7/10/2010

4 letters of objection that have been received.

Summary of key points raised

- 1) Whilst increased residential would boost the economy of the town, considers proposal is overdevelopment of the site. Fewer dwellings and fewer two storey dwellings would be more in keeping with the site.

- 2) The gated access gives the perception of exclusivity and exclusion
- 3) Amenity space may be insufficient
- 4) Objection to the density of the development
- 5) Consider the properties would be difficult for residents in a wheelchair or zimmer frame to negotiate.

9. Planning Considerations

9.1 Density And Amount Of Development

Concerns have been raised by the town council and other third party objectors to the density of development that is being proposed at this site. The density of development is – 36 dwellings per hectare.

On the 9th June 2010 the current government removed the minimum density threshold of 30 dwellings per hectare from PPS3, however there is no maximum density threshold that developers have to comply with. 36 dwellings per hectare is at the low end of the density spectrum which will usually range from about 30 -50 dwellings per hectare. It is perhaps more important rather than relying on figures to ensure that the type of development being proposed fits with the character of the area in terms of its design and layout. This is particularly important in this context as the dwellings would be placed within the Amesbury conservation area and close to listed buildings see section 9.2 below.

Policy D1 of the local plan which covers extensive development states the following –

New development will be permitted where the proposals are compatible with or improve their surroundings in terms of the following criteria:

- (i) the layout and form of existing and the proposed development, and where appropriate the historic pattern of the layout; (ii) any features or open spaces, buildings and/or structures of character on or adjoining the site; (iii) the scale and character of the existing townscape in terms of building heights, building line, plot size, density, elevational design and materials ; (iv) the scale and use of spaces between buildings; (v) views/vistas afforded from within, over and out of the site; and (vi) any existing important landscape features and the nature and scope of new landscaping proposed within and around the edges of the site; and (vii) the roofscape/skyline long or medium distance views.*

This makes clear that the development must be compatible in terms of its layout and form with the historic pattern of development within the area. It is considered that this development as it is tucked away at the back of other properties and largely screened from public viewpoints, is compatible with the scale and form of surrounding development.

The development around the site (with the exception of the Antrobus Arms Hotel and Kings Arms) is two storey in nature with pitched tiled roofs. This occurs both in Flower lane and in Salisbury Street. The development proposed reflects this in that it is two storey low key buildings with pitched tiled roofs. There are large open spaces to the rear of the proposed new properties maintaining the current open spacious nature of the site.

It is considered that the density layout and scale is appropriate to the conservation area and surrounding buildings.

9.2 Impact On The Conservation Area/Listed Building

Initially the councils conservation officer raised some concerns about the development and in particular its impact on the conservation area and nearby listed structures.

In particular the conservation officer was concerned about the potential effect on the gateway at the rear of the site which is a rear accessway into the Antrobus Arms hotel. Originally plot thirteen had sided onto this gateway and obscured the view in and out of the wall behind the Antrobus Arms hotel. However this plot has now been removed and the site of plot 12 has been adjusted in order that views in and out of this gateway through the wall are preserved.

Similarly English heritage queried the removal of the wall that currently separates the car park from the rest of the site. They were not sure of the age of this wall but the conservation officer has done some research into this and found that it is likely that it dates from the 19th century and as such is not of such sufficient age as to warrant raising objections to it's removal. It is officers opinion that the removal of the wall will enhance the setting of the protected Beech tree on the site.

Similarly the conservation officer raised concerns about the use of flint panelling on the end of the buildings and has requested that if flint is to be used this be laid flintwork rather than flint panels as flint panels rarely look as original flintwork should. A condition has been added to those required if the application is approved that requires a sample panel to be constructed on site of the flintwork and an informative states that the local planning authority would expect such a panel to be of knapped individually laid flint rather than flint panels.

The applicant has since amended the materials to be used on the dwellings from UPVC to wooden framed windows and doors as such it is considered that these are appropriate to the conservation area.

It is considered particularly in the light of the removal of plot 13 and the changes to plot 12 that the proposal respects the setting of the listed buildings and the conservation area as a whole and that the proposal would comply with the conservation area policies CN5 and CN8 which require such developments to respect the conservation area and the setting of the listed building.

9.3 Impact On Highways

The councils highways officer accepts that the access is not that good and that it is only single width, however he feels that the fact that the properties are for retirement purposes which generally have less vehicular traffic associated with them and that an adequate number of car parking spaces have been provided means that the access will be acceptable. He has asked that a condition be applied that would entail details of highway safety measures being submitted for the area where the access currently meets the pavement in Salisbury street and also for details of other pedestrian safety measures along this single width accessway. It is considered that with this condition the access is adequate for this level of development and complies with the requirements within policy G2 which require that –

- (i) a satisfactory means of access and turning space within the site, where appropriate, together with parking in accordance with the guidance at Appendices V and VI of the Local Plan.*

Parking is provided for the dwellings at the specified rate of 1 per unit and an additional parking space for every 5 units. 24 car parking spaces are provided which is above the requirement of 15 spaces set out in the local plan policies. It provides 9 spaces for visitor parking and

deliveries.

It is therefore considered that the access, provisions (and the car parking) are on balance acceptable and meet the local plan policy requirements.

9.4 Impact On Trees

The site at the moment has a number of protected trees situated within it, (these are protected by virtue of the fact that they are within the conservation area and therefore cannot be removed without prior notification to the local planning authority).

The council's tree officer has assessed the trees on site and with the exception of the mature Beech tree, considers none of the trees to be of sufficient value to warrant a tree preservation order. As such it is intended that the majority of the trees on site are to be removed although a condition is to be imposed requiring details of landscaping to be submitted. As part of these details the local authority will wish to see replacement trees albeit in new locations in order to maintain the green characteristics of this site.

This new development does offer the opportunity to enhance the existing setting of the Beech tree which it is believed is at least 150 years old. A large space has been created around the tree which gives it a setting of its own and makes it the focal point of the communal area to the rear of the development. This is considered to be a positive gain as the Beech tree is currently hidden to an extent behind the 19th century wall that divides the site (see section on conservation above).

It is considered that the effect of the development on the trees on the site is acceptable and complies with local plan policy.

9.5 Archaeology

Policy CN23 of the saved policies of the adopted local plan states that –

Within the historic settlements of Salisbury, Amesbury, Downton, Hindon, Mere, Old Sarum, Shrewton, Tilshead and Wilton, the Local Planning Authority will seek to establish, prior to determining planning applications, the archaeological implications of all development, will wish to be informed of all requirements for archaeological work, and will continue to seek the provision of adequate facilities for archaeological site investigation, particularly by use of agreements where appropriate, or by conditions on planning approvals where necessary.

Much work had been carried out in terms of archaeology on the site prior to the submission of this application. However this application also includes the Bank car park and as such a further evaluation of this part of the site was required. Following this evaluation the council's archaeologist has recommended that a condition be imposed that requires further archaeological works to be carried out on site before development commences if planning permission is granted. This has been included as a condition at the end of the recommendation

9.6 Design Of The Development

The saved policies of the local plan contain several that relate to the design of developments such as policy D1 (see density section above). However because the development is situated within a conservation area special attention needs to be given to the design and layout of the development.

The proposed house types are of a simple design being of two storey height brick built under clay tiled roofs, They are built in a traditional manner which reflects the style used in other recent developments within Amesbury town centre. It is considered that the scale and massing being of two storey in a linear terrace formation is not unreasonable for this location.

The access to the property for vehicles is along the Southern part of the site which lies adjacent to Flower Lane. There is a 2 metre high wall which separates the proposed development from existing houses in Flower Lane. Given the level of traffic that will exist from the new properties it is considered that this layout would be acceptable as vehicles are likely to be going very slowly on the site itself and therefore noise and disturbance is unlikely to exist.

The layout of the site with a large area of open amenity space to the rear gives a good aspect to the back of the proposed new properties that all can enjoy it also maintains the spacious nature of this part of the conservation area by providing a green space where the rear garden of the Antrobus Arms would have been.

It is considered that the layout and simple architectural design of the proposed development complies with design policies D1 and D2 of the saved policies of the adopted local plan.

9.7 Residential Amenity And Overlooking

Policy G2 of the saved policies of the adopted Salisbury District local plan requires that development avoids overlooking of other properties, this has been carefully considered as part of this development. The majority of the properties proposed face onto the rear of residential properties in Flower Lane. Therefore there is potential for the first floor windows to look into the rear of properties in Flower Lane. In order to avoid this the first floor windows at the front of the properties are all single windows which serve bathrooms and will be obscure glazed. This will prevent overlooking of properties on Flower Lane.

The other property which potentially could be effected by overlooking is that of Chelston House which is beyond the western boundary. Here there is a 2m high wall beyond which there is the side wall to Chelston House which has no windows facing onto the site. The only two properties which would have affected this particular house were plots 12 and 13. Plot 13 has now been deleted from the scheme and plot 12 has been reorientated and amended such that there is only one window facing in this direction which would be a bathroom window.

It is considered that the other properties surrounding the site are of a sufficient distance away that there would be no overlooking issues and no objections have been received from residents as regards to overlooking.

9.8 Other Issues

Issues have been raised in respect to the rubbish collection facilities proposed at the front of the site and the fact that they are unlikely to be adequate for the development as proposed. There is scope for bins to be stored at the rear of properties and accessed by the rear pathways as the front storage area is only likely to be used on rubbish collection days.

The proposed internal driveway system would not be adopted and therefore does not need to be lit. Any significant proposed new lighting would require planning permission.

10. Conclusion

It is considered that the building of these dwellings in a highly sustainable location within the

town centre of Amesbury will make good use of this vacant area of land and improve the environs to the rear of properties fronting Salisbury Street and the High street. The use of the land for elderly persons accommodation in such a sustainable location within easy reach of shops and services and other transport such as buses it is considered complies with policy G1 of the saved policies of the adopted local plan.

It is considered that the low key nature of the development situated as it is behind existing developments and with little public views is acceptable in design terms. The properties would be no higher than two storey in height and are suitable for a backland location such as this. There are large areas of open space within the development and the density is considered acceptable as such this complies with policies D1 and D2 of the saved policies of the adopted local plan.

It is further considered that the proposal will enhance the setting of the protected Beech tree to the rear of the site and would not have an adverse effect on the setting of the listed buildings fronting the High Street (The Antrobus Arms Hotel and the Kings Arms Public house). As such it is considered that the proposal complies with policies CN5 and CN8 of the saved policies of the adopted Salisbury local plan.

Recommendation

Following completion of a legal agreement in respect of the off site open space contribution to GRANT planning permission for the following reasons –

The proposal by reason of its design size and appearance is considered to be an acceptable development making good use of an otherwise vacant Brownfield site within Amesbury town centre as such the proposal complies with policies G2 and D2 of the adopted local plan.

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.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990. As amended

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.

REASON: To secure a harmonious form of development.

3. Prior to any development commencing, a scheme for the management of the construction of the proposal, including times of operations, and details of how adjacent amenities and the adjacent highway are to be protected, shall be submitted to and agreed in writing by the Local Planning Authority, and the scheme shall be developed as agreed.

REASON: In the interest of amenity

4. The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby approved.

REASON: In the interests of highway safety.

5. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety

6. Before development commences a scheme of water efficiency measures for the proposed development shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the agreed scheme.

REASON: In order to achieve the sustainable use of water resources

7. Before development commences, a scheme to minimise the detrimental effects to the water interests of the site and the risks of pollution during the construction phase shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed scheme.

REASON: to minimise the detrimental effects to the water interests of the site and the risks of pollution during the construction phase.

8. Prior to the commencement of development on site details of the covered cycle parking provision shall be submitted to and agreed in writing by the local planning authority. Such cycle parking as agreed shall be constructed and installed prior to the occupation of any of the residential units.

REASON: In order that sufficient cycle parking provision is made on site.

9. Prior to the commencement of works at the site details of any proposed boundary treatments shall be submitted to and approved in writing by the local planning authority and retained thereafter.

REASON In the interests of amenity of neighbouring occupiers.

10. Notwithstanding the provisions of Classes A-E inclusive of Schedule 2 (Part 1) to the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), there shall be no alterations nor extensions to the dwellings nor the erection of any structures within the curtilage unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf.

Reason: To enable the Local Planning Authority to retain control over the development in the interests of amenity.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), no Windows or dormer windows [other than those expressly authorised by this permission] shall be constructed.

Reason: To enable the Local Planning Authority to retain control over the appearance of the dwellings in the interests of visual amenity and the amenity of adjoining properties and because the proposed dwellings are in close proximity to both each other and other surrounding dwellings which could be overlooked by the insertion of new windows.

12. The development shall not be occupied other than by persons of 55 years of age and above.

Reason: To ensure that the level of parking demand remains at an acceptable level in the interests of highway safety.

13. Prior to the commencement of development on site including site works of any description, the Beech tree which is shown to be retained shall be protected by a fence in a position to be approved by the local planning authority. Within the area so fenced the existing ground level shall neither be raised or lowered and no materials, temporary buildings, plant machinery or surplus soil, shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and back filled by hand and any tree roots encountered with a diameter of 2 inches (50mm) shall be left unsevered.

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

14. No development shall take place until there has been submitted to and approved in writing a scheme of landscaping for the development which shall include details of any existing trees on the land along with measures for their protection. Any scheme as approved by the local planning authority shall be implemented within the first planting season after the completion of the development.

Reason In the interests of the amenity of residents and the surrounding conservation area.

15. Prior to the commencement of development details of a pedestrian safety scheme shall be submitted to and approved in writing by the local planning authority. Such a safety scheme shall in particular include measures to prevent conflict between vehicles entering the site and pedestrians using Salisbury Street.

Reason: In the interests of highway safety

16 No development shall commence within the proposed development site until –

- a) A written programme of phased archaeological investigation, which should include on-site work and off- site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority – this should include the previous excavations on the site; and
- b) The approved programme of archaeological work has been carried out in accordance with the approved details.

Reason: In the interests of preserving and recording the archaeology at the site.

17. The first floor bathroom windows on the dwellings hereby approved shall be obscure glazed

and fixed shut at all times.

Reason: In order to prevent overlooking of neighbouring properties.

18. The development hereby approved shall be carried out in accordance with the following plans –

Plan no 12/2004/13B

Plan no 12/2006/3B

Plan of cycle and refuse store received 9th August 2010

Drawing no LDS/6343-1/0 Topographical survey

Design and access statement as received on the 9th August 2010

Reason: For the avoidance of doubt.

19. Prior to first occupation of the development hereby approved details of bin storage areas for the provision of up to three wheeled bins for each property shall be submitted to and approved in writing such bin storage at each property shall be retained in perpetuity.

Reason: In the interests of the amenity of the residents of the development.

INFORMATIVE

Any proposed bicycle racks shall be of a Sheffield design. With regards this matter please liaise with WCC Highways.

It should be noted in relation to condition 2 the use of flint panels in this important and historic area is unlikely to be acceptable to the local authority and that the local authority will expect the submission of details relating to this flintwork to be of individual flints laid in a traditional manner.

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

conservation area, CN3 – Listed buildings, CN4-Listed buildings, CN5 – Listed buildings, CN8- Conservation areas, CN11 –Views in conservation areas. G2 – General criteria D2- Infill development D3- Extensions, TR11-Parking Spaces, TR14 – Bicycle Parking facilities. R2- Recreational Open Space.

Appendices:	None
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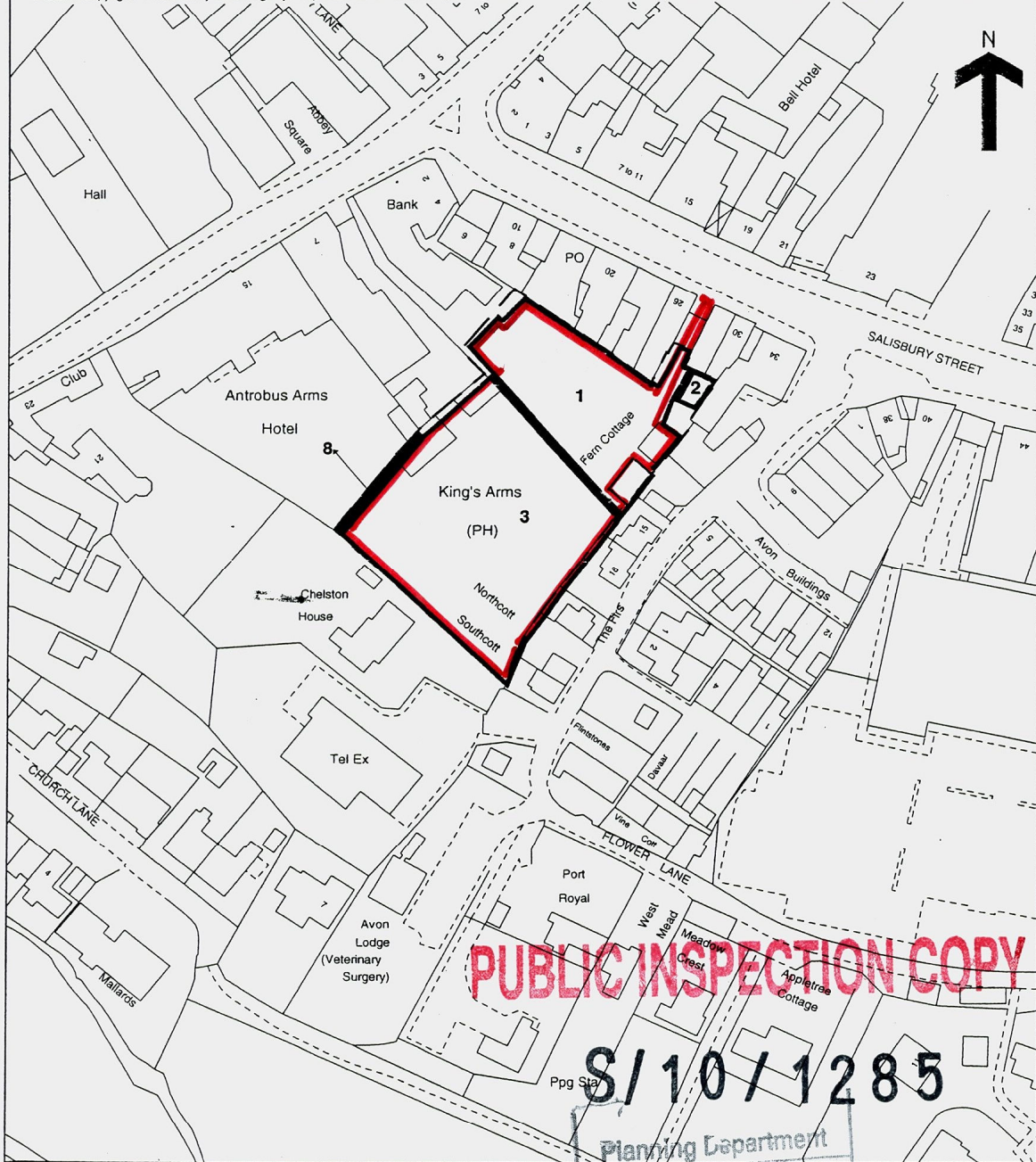
Background Documents Used in the Preparation of this Report:	Plan no 12/2004/13B Plan no 12/2006/3B Plan of cycle and refuse store received 9 th August 2010 Drawing no LDS/6343-1/0 Topographical survey Design and access statement as received on the 9 th August 2010
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Land Registry Index map plan

Ordnance Survey map reference **SU1541SW**
Scale **1:1250**
Plan prepared on **25/01/2007** at **00:00:01**



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This plan should be read in conjunction with result C881KGB.

This plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 7 - Title Plans.

Rec. 01 SEP 2010
Copy to
Action:



Agenda Item 9c

Deadline	07-Jan-2011		
Application Number:	S/2010/1719		
Site Address:	Long Craggs Church Street Bowerchalke Salisbury SP5 5BE		
Proposal:	Addition of first floor including raising of the roof with associated works and single storey extension to the east elevation		
Applicant/ Agent:	Michael Lyons Architecture		
Parish:	Bowerchalke		
Grid Reference:	402015 123241		
Type of Application:	Full		
Conservation Area:		LB Grade:	
Case Officer:	Mrs A Iles	Contact Number:	01722 434312

Reason for the application being considered by Committee

Councillor Green has requested that this item be determined by Committee due to:

- Visual impact upon the surrounding area
- Relationship to adjoining properties

1. Purpose of Report

To consider the above application and to recommend that planning permission be GRANTED subject to conditions.

Neighbourhood Responses

Four letters received objecting to the proposal

No letters of support received

No letters commenting on the application received

Parish Council response

Support the application

2. Main Issues

The main issues to consider are:

1. Scale & Design and Impact on AONB
2. Impact on Residential Amenity
3. Impact on Trees

3. Site Description

Long Crag is a detached property located at the top of a steeply sloping bank on the east side of Church Street in Bowerchalke. The property is on two levels with lower and upper ground floors which follow the site topography. The lower ground floor has a garage, store and playroom with the rest of the accommodation on the upper ground floor. The property is constructed from artificial stone with tiled pitched roof.

The site is located within the Housing Policy Boundary of Bowerchalke and the Area of Outstanding Natural Beauty (AONB).

4. Planning History

Application number	Proposal	Decision
On the site itself:		
5126	Outline application for the erection of two houses and construction of access	AC 25/06/64
5425	Erection of two bungalows with access	WD 01/10/64
5682	Erection of two bungalows with garages and access	AC 02/02/65
6690	Erection of two bungalows and garages and construction of joint access	AC 09/02/67
1971/0389	Erection of two bungalows and garage with joint access	AC 13/01/72
1979/1099	Extension to provide dining room, study, additional Garage and lounge	A 12/10/79
Adjacent to the site:		
2005/1117	Four bedroom house and garage and construction of new access.	AC 01/08/05
2010/1841	Application for a Lawful Development Certificate of an existing use or operation to ascertain whether a lawful material commencement of development under planning reference S/2005/1117 has occurred	Awaiting Determination

5. The Proposal

Permission is sought for the addition of first floor including raising of the roof with associated works and single storey extension to the east elevation.

The single storey extension will curve around the existing building filling the gap between the existing building and existing chalk bank. A terraced area will be formed on top of this.

The ridge height of the property will be increased by 1.13 metres with three dormer windows to the front elevation and three to the rear. The existing concrete tiles on the roof will be replaced with clay tiles and the walls will be rendered with the existing artificial stone forming a plinth.

6. Planning Policy

The following policies are considered relevant to this proposal:

Adopted Salisbury District Local Plan saved policies G2, D3, C5

7. Consultations

Bowerchalke Parish Council

Support providing the ridge height is increased by no more than the planned 3 feet.

Wiltshire Fire & Rescue

Consideration should be given to domestic sprinkler protection at building regulations stage.

8. Publicity

The application was advertised by site notice and neighbour notification which expired on 23rd December 2010.

Four letters of objection were received regarding:

1. Overlooking
2. The increased height of the property which will be out of keeping with the surrounding area
3. The village has a low profile and the building will be visible from the wider area
4. Loss of privacy
5. The proposal will create a precedent particularly as the adjacent property is a mirror image
6. Impact on highway safety in the village during building works
7. The building was originally conceived to be low in height
8. Other applications for dwellings in the village have had to have restricted roof heights
9. Cladding in natural stone or timber would be more appropriate in the surroundings than render
10. Trees and shrubs at the site have already been removed
11. There will be light spillage from the additional windows
12. There will be increased noise from opened windows
13. If approved development should be carried out in one phase and hours of construction should be limited.
14. No small properties will remain within the village for young inhabitants

With regards to points 6 this is covered by the 1980 Highway Act and points 11, 12 and 14 are not material planning considerations. All remaining points will be dealt with below.

9. Planning Considerations

9.1 Scale & Design and Impact on AONB

Long Crag is located in an elevated position above the village but even in winter is largely screened from the road by mature trees and shrubs.

The proposed single storey extension to the east is very small in footprint and will not be visible from the wider area being built into the chalk bank on one side and being on the opposite side of the property to the road and therefore well screened. Furthermore the rendering of the property and the change from concrete tiles to clay tiles is considered to be a visual improvement.

While the works to the roof will increase the bulk and massing of the property, the increase in height by 1.13 is relatively modest, and being screened by mature trees from both the east and the west, the visual impact is considered to be minimal. In particular from the road the property is very well screened by trees even in the winter months and modest increase in height will not alter this. The addition of dormer windows will add some additional bulk but they are traditional in style and for the same reasons as given above are not considered to be visually detrimental to the wider area.

Concern has been raised by third parties with regard to the fact that original consent for the dwelling stated that the height had to be restricted, other dwellings in the area have subsequently been restricted in height and if allowed the proposal will create a precedent. The original application documentation makes no reference to a restriction in height and regardless of this, approval was granted 40 years ago when planning policies were different and each application is dealt with on its individual merits thereby no precedent would be created if this application were approved.

The Parish Council support the proposal providing the ridge will be no higher than the 3 feet proposed. The height increase shown on the plans is actual 1.13 metres which converts to slightly over 3 feet. However, as there has been no change to the plans since submitted it is presumed that the Parish Council remain supportive.

9.2 Impact on Residential Amenity

Concern has been raised by third parties with regard to additional overlooking and overshadowing which could arise from the proposal. This is dealt with below by individual property.

Weatherstons

This property is located to the north-east of Long Crag and was built at the same time to an almost identical design. It is considered that due to the separation distance (approximately 30 metres) the proposal will not result in any additional overshadowing and as the Weatherstons is located slightly further to the east the dormer windows will offer only oblique long distance views towards this property which is not considered to be detrimental.

Greenleas

This property is located some 24 metres to the north-west of Long Crag and due to the separation distance it is considered that any overshadowing will be limited. No additional windows are proposed within the north-west elevation of Long Crag and the dormer windows are considered only to offer very oblique views towards Greenleas.

1 Holly Close

This property is located approximately 26 metres to the south west of Long Craggs and again due to the separation distance it is considered that any additional overshadowing from the proposal will be limited and any overlooking from the dormer windows will offer only oblique long distance views.

Marleycombe

This property is located approximately 75 metres to the south of Long Craggs, and as above, it is considered that due to the separation distance any additional overshadowing will be minimal and the dormer windows and terrace will offer only long distance views.

Plot adjacent to Marleycombe

In 2005 permission was granted for a dwelling on a plot between Marleycombe and Long Craggs. This has since expired but as work commenced on site a certificate of lawful development is currently under consideration by the LPA. Measurements taken from the plans associated with this application indicate that there will be a separation distance of at least 25 metres between the properties. Although Long Craggs will be located on much higher ground, given the separation distance and the orientation to the north it is considered that any overshadowing will be minimal. With regard to overlooking the change in topography means that the views offered from the dormer windows and terrace will be over the rooftop of the proposed property rather than directly at it and there are mature trees on the boundary between the two properties providing screening. In addition one of the dormer windows serves a bathroom and as such an obscure glazed condition is suggested.

Finally it has been requested by a third party that if approval is recommended development should be in one phase and hours of construction should be limited. Providing works commence within the standard three years the consent becomes extant and as such the LPA is unable to control the phasing of development. However, in the interests of residential amenity a condition is added limiting hours of construction.

9.3 Impact on Trees

Concern has been raised by third parties regarding trees and shrubs which have been removed on the site. This would not have required consent as they were neither subject to a tree preservation order nor protected by inclusion within a Conservation Area. In addition an Arboricultural Method Statement has been submitted with the application and the Arboricultural Officer has looked at the current proposals and has no objection to the scheme.

10. Conclusion

It is recommended that planning permission is GRANTED for the following reasons:

It is considered that the proposal is appropriate to the existing building and surrounding area (designated an AONB) and will avoid unduly disturbing, interfering, conflicting with or overlooking adjoining dwellings or uses to the detriment of existing occupiers. Therefore it is considered to conform with Adopted Salisbury District Local Plan saved policies G2, D3 and C5.

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.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

(2) Development shall be carried out in accordance with the following plans:

380/P.02 Submitted on 12/11/10

380/P.04 Submitted on 12/11/10

No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application.

REASON: For the avoidance of doubt

(3) Before the development hereby permitted is first occupied the bathroom window in the south elevation shall be glazed with obscure glass only and the window shall be permanently maintained with obscure glazing at all times thereafter.

REASON: In the interests of residential amenity and privacy.

POLICY-- G2 (General Design Guidance)

(4) No development shall commence on site until details of the external materials to be used on the walls and roof of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

POLICY- D3 (General Design Guidance), C5 (Development within an AONB)

(5) No construction work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 on weekdays and 08:00 to 13:00 on Saturdays. This condition shall not apply to the internal fitting out of the development.

Reason: To minimise the disturbance which noise during the construction of the proposed development could otherwise have upon the amenities of nearby dwellings.

Policy: G2 (General Development Guidance)

Recommendation

It is considered that the proposal is appropriate to the existing building and surrounding area (designated an AONB) and will avoid unduly disturbing, interfering, conflicting with or overlooking adjoining dwellings or uses to the detriment of existing occupiers. Therefore it is considered to conform with Adopted Salisbury District Local Plan saved policies G2, D3 and C5.

Appendices:	None
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Background Documents	380/P.02 Submitted on 12/11/10 380/P.04 Submitted on 12/11/10
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Used in the
Preparation of
this Report:



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Agenda Item 9d

Deadline	10-Jan-2011		
Application Number:	S/2010/1750		
Site Address:	Site next to Rose & Crown High Street Bulford Salisbury SP4 9DS		
Proposal:	Erection of a single three bed detached dwelling house and formation of new access to High Street		
Applicant/ Agent:	Sixteen Twenty Eight		
Parish:	Bulford		
Grid Reference:	416811 143536		
Type of Application:	Full		
Conservation Area:		LB Grade:	
Case Officer:	Charlie Bruce-White	Contact Number:	01722 434682

Councillor Smale has requested that this item be determined by Committee due to issues relating to the scale of development and its relationship to adjoining properties.

1. Purpose of report

To consider the above application and the recommendation of the Case Officer that planning permission be GRANTED subject to conditions.

2. Report summary

The main issues in the consideration of this application are as follows:

1. The principle of development;
2. The impact on the character and appearance of the area, including the effect on the setting of adjacent listed buildings and the nearby Conservation Area;
3. The impact of residential use on adjacent uses and vice-versa;
4. The impact on highway safety
5. Public recreational open space
6. Other considerations

The application has generated objections from Bulford Parish Council and two local residents.

3. Site Description

The application site consists of vacant land between the Rose and Crown pub, a residential dwelling and a church hall, situated off the Bulford High Street. A public footpath runs to the rear of the site.

In planning terms, the site is within Bulford's Housing Policy Boundary but outside of the Conservation Area (which starts beyond the public house). It is also within an Area of Archaeological Significance.

4. Relevant Planning History

<i>Application Number</i>	<i>Proposal</i>	<i>Decision</i>
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S/2010/0869	Proposed detached dwellinghouse and new access	Refused
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5. Proposal

It is proposed to erect a new detached dwelling and form a vehicular access onto Bulford High Street.

The proposal represents a re-submission of a previously refused scheme for a new dwelling (S/2010/0869) where concerns were raised by the Southern Area Planning Committee over how well the design put forward related to the character of the area. The previous application, which was for a dwelling of an unreservedly contemporary design, was refused for the following reasons:

The proposed development by reason of its design, shape, and form would result in an incongruous and alien form of development at odds with the local vernacular such that it would fail to respect or enhance the character and appearance of the area, its architectural characteristics, the materials of adjoining buildings and would not promote or re-enforce local distinctiveness. As such the proposal would be contrary to saved policies D2 and G2 of the adopted Salisbury District Local Plan and advice in Planning Policy Statement 1: Delivering Sustainable Development.

The current scheme differs in that the design now put forward is of a more traditional style and form.

It should be noted that amended plans were also received during the application process, changing the materials to be used on the front elevation from predominantly black tar stained timber cladding to flint with brick quoins. Timber cladding would be restricted to the apexes above the dormer windows and the front projecting extension. There would also be an area of render to the front extension and the roof would be tiled in slate.

7. Planning Policy

Local Plan: policies G1, G2, D2, H16, CN11, CN21, R2, TR11, TR13, TR14

Central government planning policy: PPS1, PPS3, PPS5, PPG24

7. Consultations

Parish Council	Object. Overdevelopment of site; overshadowing of adjacent footpath, inappropriate access arrangements; design is out of character with adjacent listed buildings; residential use is incompatible with adjacent commercial uses including pub and petrol filling station;
Environmental Health	No objection subject to recommendations of the submitted Noise Survey being carried out.
Highways Officer	No objection subject to standard highways conditions.
Conservation Officer	The current design is very suburban and has too much of the 'executive house' appearance. In my view this approach is a retrograde step.

8. Publicity

The application was advertised by site notice and neighbour consultation.

2 letters of letters of objection received

Summary of key relevant points raised:

- Inappropriate turning facilities;
- Site is overlooked by the pub;
- Design and materials are inappropriate for the Conservation Area and nearby listed buildings;
- Conflict with surrounding commercial uses;
- Overlooking of, and loss of light to, adjacent church hall and yard;
- Fire hazard due to poor access and proximity of dwelling to neighbouring buildings and footpath;
- Affect upon flight paths of bats;
- Disturbance during construction works

9. Planning Considerations

9.1 *The principle of development*

The site lies within the Housing Policy Boundary of Bulford. As such, Local Plan policy H16 permits the development of infilling and small-scale re-development in principle, provided that it does not constitute tandem or inappropriate backland development; does not result in the loss of an important area of open space and does not conflict with the Local Plan's design policies, as well as meeting other Local Plan requirements.

It is considered that the proposal does not constitute unacceptable tandem or inappropriate backland development, given that the dwelling would face the highway (albeit being set well back) and would not have intervening development between. The land is overgrown and unused and the proposal would not involve the loss of important open space. In principle development of this site would comply with Local Plan policy H16, but subject to detailed considerations (including design), below.

9.2 *The impact on the character and appearance of the area, including the effect on the setting of adjacent listed buildings and the nearby Conservation Area*

Local Plan policy D2 is relevant. It requires that proposals for infill development must respect or enhance the character and appearance of the area in terms of the building line, scale of the area, heights and massing of adjoining buildings and the characteristic building plot widths. Infill dwellings should also respect or enhance the architectural characteristics of the area and materials of adjoining buildings.

Government advice in PPS1 (paragraph 34) says that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted. Paragraph 38, however, says that local planning authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is,

however, proper to seek to promote or reinforce local distinctiveness particularly where this is supported by clear plan policies or supplementary planning documents on design.

In this case the architectural characteristics of the surrounding area are varied, although generally follow traditional lines. The adjacent Rose and Crown, immediately to the north, is a brick and flint public house of attractive design and proportions though it is not listed. To the south are 41 to 45 High Street, dwellings and a church hall, of which numbers 41 and 43 are listed. These are also of brick and flint and date from 1769, being a former farmhouse, now divided into two dwellings.

Beyond these, further to the south, are a row of modern terraced bungalows. To the west (opposite the site) are a number of brick two storey dwellings of fairly bland and unremarkable modern design. To the east is a petrol filling station and further relatively recent (possibly 1980s) residential development.

The Council's Conservation Officer and Design Forum have previously indicated their preference for a contemporary design approach for the site, although this has been rejected by the Southern Area Planning Committee. Consequently, the design now put forward is a more traditional approach, both in terms of design, shape, form and materials.

In terms of the impact upon the listed buildings, it is considered that these and the pub would remain the predominant features of the street scene and that the new dwelling would not harm their setting. Meanwhile Bulford's Conservation Area starts on the other side, and to the rear, of the Rose and Crown, and the proposed dwelling would not be visible from within the Conservation Area.

Public views from the highway are largely screened by the pub or ameliorated (though not entirely screened) by hedging fronting the road boundary. Although the dwelling would be visible from the High Street above existing hedging at some points (as well as being seen from the footpath to the rear), it would not be overly dominant in the street scene.

In terms of plot widths and the risk of 'over-development', the dwelling would largely fill the width of the plot at its western end, but there other examples of existing dwellings that fill the plot width, including the adjacent 43 High Street. The length of the site also helps reduce the impact of the dwelling on its surroundings. It is difficult to conclude that the proposal would result in a 'tight' or cramped' pattern of development.

Overall it is considered that, on balance, the proposed design addresses the specific reasons for refusal given by the Southern Area Planning Committee, and that the dwelling as proposed on the site is more sympathetic to the area's character and appearance. It is therefore considered that the proposal would be acceptable having regard to Local Plan policies G2, D2, CN11 and the advice contained within PPS1.

9.3 The impact of residential use on adjacent uses and vice-versa

Consideration has been given to the impact of the proposal on adjacent uses (and vice-versa), including the impact on the public house, on the church hall, and from the petrol filling station.

The Council's Environmental Health department expressed initial concerns that the proximity of the public house to the proposed dwelling would result in an incompatibility of uses. They were concerned that noise and disturbance from the public house would be likely to affect the amenities of occupiers of the future dwelling, and that complaints generated from the new

dwelling could affect the operation of the pub. Environmental Health were also concerned that the proximity of the petrol filling station could also affect the amenities of the dwelling.

The dwelling has been designed so that there would be no windows on the north, east and south elevations, so no windows would face the pub, filling station or church hall, and all windows (other than flat rooflights for the bathrooms) would face west.

Furthermore, the applicants have undertaken a noise assessment through a firm of environmental consultants. PPG24 sets out four noise exposure categories (NEC), based on World Health Organisation guidelines, for determining the effect of noise. The applicant's noise assessment identified that during the daytime the level of noise on the site falls within category A, where noise is not a material consideration.

During the night time, however, the level of noise translates into NEC B, where noise is a material consideration. The reason for increased noise levels at night time relates to lower background noise levels and a greater expectation of quiet. This means that the effect of a chiller unit at the back of the pub is that much greater during the night compared with daytime levels.

In response to this, the applicant's consultants recommended either that the chiller is relocated (with the agreement of the public house), or that mechanical ventilation is provided to the proposed bedrooms to mitigate against the noise of the chiller unit and ensure that noise within the dwelling falls within acceptable levels. The applicants have proposed the latter.

The Council's Environmental health department has reviewed the submitted noise assessment and considers that it is acceptable. They consider that the proposed noise mitigation methods of mechanical ventilation would be acceptable and reasonable, would provide adequate living conditions, and would overcome their initial objections.

In relation to concerns expressed by others, there is no reason to believe that siting one house next to another would lead to unacceptable fire risks. Access for the emergency services is a matter to be considered under the Building Regulations. Overlooking of land used by children is not a sustainable reason to refuse planning consent. In fact any overlooking of the church hall would be oblique and no worse than occurs at present. It is considered that the proposed dwelling would be sufficiently far away from neighbours for it not to result in an unacceptable loss of light or outlook. Disturbance from building works could be limited to acceptable hours by condition.

It is considered that the proposal would not be unacceptable in terms of its proximity to other uses, and that it would not conflict with saved Local Plan policy G2.

9.4 The impact on highway safety

Consideration has been given to the impact on traffic and highway safety. Initial concerns were expressed by the Highways Department about vehicles being able to enter and leave the site safely. In response the applicants have proposed a 'car turntable' where cars are turned within the site enabling them to drive in and out of the site in a forward gear.

Although the Parish Council has expressed concern at the long term suitability of this solution, the Highways Department have accepted the use of the turntable and now raise no objection. On this basis, a reason for refusal on highway grounds would be difficult to defend at appeal, and it is considered that Local Plan policy G2 would be satisfied in this respect.

9.5 Public Recreational Open Space

Local Plan policy R2 requires that all new residential proposals must provide for additional public recreational open space facilities. For schemes of less than 10 dwellings, a financial contribution is normally sought, secured by means of a legal agreement under s106 of the Town and Country Planning Act.

It is considered that such a contribution is required in this case, and that permission should therefore be subject to a legal agreement being submitted by the applicant.

9.6 Other considerations

Any cutting down of trees would not have required permission. The opening in the hedge has already occurred and again would not have needed consent. In relation to the footpath to the rear, the path is already somewhat dark and gloomy, though the dwelling would add to this to some extent. The applicants have proposed that lighting could be installed to counteract this impact. It is considered that this could be secured by condition.

10. Conclusion

It is considered that the proposed design has addressed the previous reason for refusal in relation to the uncharacteristic design, shape and form of the dwelling and that it would now respect the character and appearance of the area, including its architectural characteristics and materials. Subject to conditions the proposal would not result in unacceptable living conditions or adverse impacts upon neighbouring uses, and there would be no harm to highway safety or any other material planning consideration.

11. Recommendation

Subject to the submission of a unilateral agreement under s106 of the Town and Country planning Act 1990, in relation to public recreational open space, it is recommended that:

Planning Permission be GRANTED for the following reason:

It is considered that the proposed design has addressed the previous reason for refusal in relation to the uncharacteristic design, shape and form of the dwelling and that it would now respect the character and appearance of the area, including its architectural characteristics and materials. Subject to conditions the proposal would not result in unacceptable living conditions or adverse impacts upon neighbouring uses, and there would be no harm to highway safety or any other material planning consideration. The proposal would therefore accord with the aims and objectives of the development plan, having particular regard to Local Plan policies G1, G2, D2, H16, CN11, CN21, R2, TR11, TR13, TR14 and PPS1, PPS3, PPS5, PPG24.

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.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) The development shall only be undertaken in accordance with the following approved plans:

Plan Ref....927 110 Rev. E...
Plan Ref....927 111 Rev. H...
Plan Ref....927 115...

Date Received....26.01.11....
Date Received....26.01.11...
Date Received....26.01.11....

Reason: For the avoidance of doubt.

- 3) The development shall be carried out in accordance with the recommendations of the submitted Noise Survey Report (JTEC Environmental dated 12th – 17th July 2010) and passive wall vent details submitted by the agent on 07/12/10.

Reason: To ensure acceptable internal noise levels to the new dwelling.

Policy: G2

- 4) No development shall commence on site until written details of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the local planning authority. Where so requested by the local planning authority, samples of materials shall be provided on site for further written agreement. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and the character and appearance of the area.

Policy: D2

- 5) No works to externally face the new dwelling shall commence until a sample panel of flintwork, not less than 1 metre square, constructed using flints hand laid in a random pattern (with no preformed panels to be used), has been erected on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample panel, using flints hand laid in a random pattern with no preformed panels.

Reason: In the interests of visual amenity and the character and appearance of the area.

Policy: D2

- 6) No development shall commence on site until details of the finish to external timber, including any paint or stain to be used on the external walls and window joinery have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being first occupied.

Reason: In the interests of visual amenity and the character and appearance of the area.

Policy: D2

- 7) No works shall commence on site until details of the proposed rooflights (including size, manufacturer and model number) have been submitted to and approved in writing by the Local Planning Authority. The rooflights shall be of the 'conservation' type with a single vertical glazing bar and mounted flush with the roof slope. The works shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and the character and appearance of the area.

Policy: D2

- 8) No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:
- (a) indications of all existing trees and hedgerows on the land;
 - (b) details of any to be retained, together with measures for their protection in the course of development;
 - (c) details of new trees and hedgerows including species, planting sizes and densities;
 - (e) means of enclosure;
 - (f) car park layouts;
 - (h) hard surfacing materials;
 - (i) minor artefacts and structures (e.g. refuse and other storage units);

Reason: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

Policy: G2

- 9) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

Policy: G2

- 10) Prior to the commencement of development a scheme for the provision, use, retention and maintenance of the proposed turning circle shall be submitted to and approved, in writing, by the Local Planning Authority. The turning circle shall remain clear and available for use at all times and shall be operated and maintained in accordance with the approved details.

Reason: In the interests of highway safety

Policy: G2

- 11) The development hereby permitted shall not be occupied until the first 5 metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

Reason: In the interests of highway safety

Policy: G2

- 12) Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only.

Reason: To ensure that the development can be adequately drained

Policy: G2

- 13) No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until surface water drainage has been constructed in accordance with the approved scheme.

Reason: To ensure that the development can be adequately drained

Policy: G2

- 14) Prior to the commencement of development, a scheme for the provision, use, retention and maintenance of lighting of the public footpath immediately behind the proposed dwelling shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed prior to the first occupation of the dwelling and shall be used and maintained in accordance with the details thereby approved.

Reason: In the interests of users of the public footpath

Policy: TR13

- 15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the north, east and south elevations of the development hereby permitted.

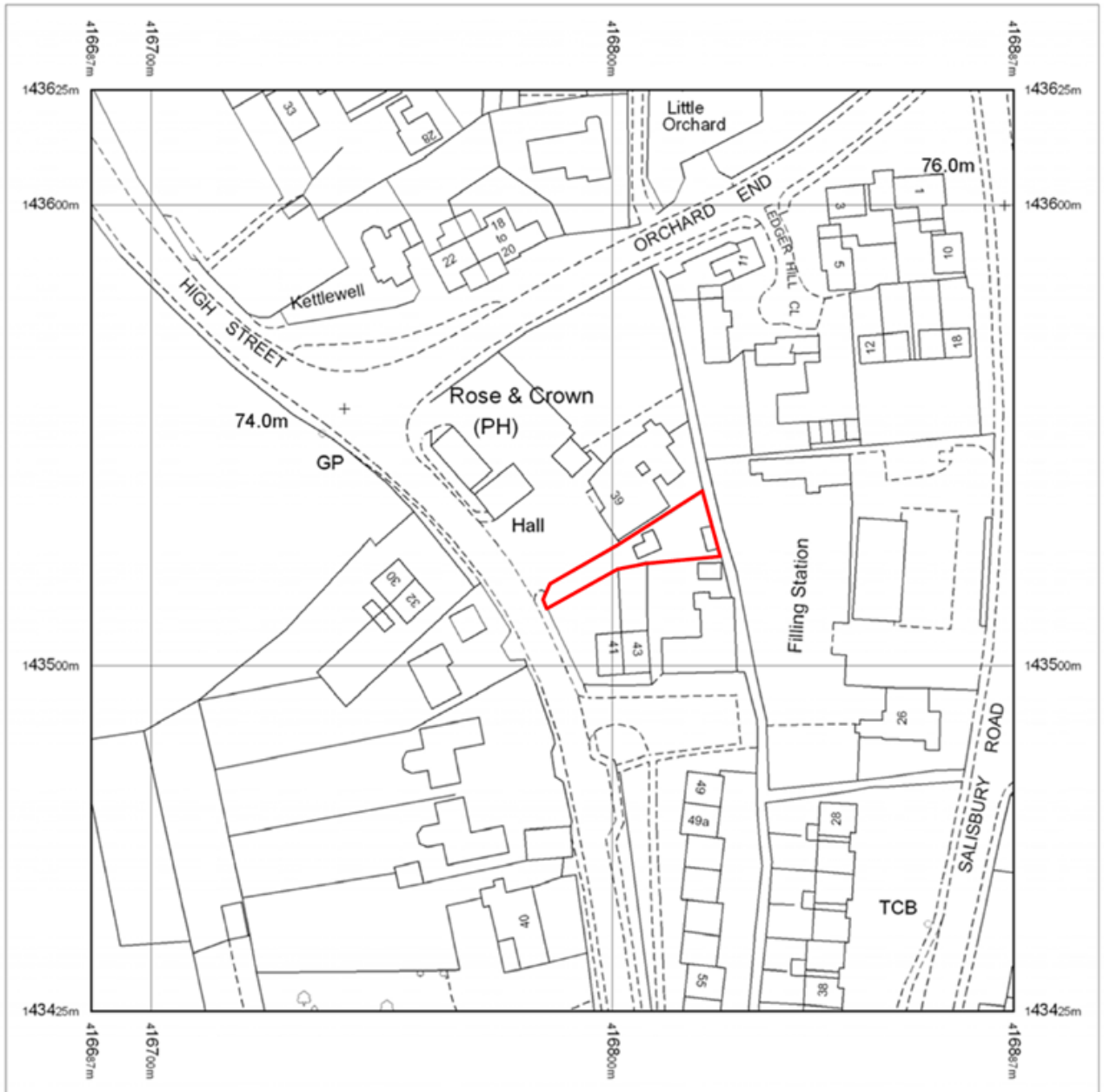
Reason: In the interests of residential amenity and privacy, and to ensure adequate living conditions for the occupiers of the proposed dwelling.

Policy: G2

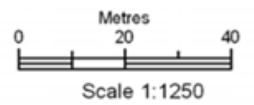
- 16) No construction works shall take place outside of the hours of 08:00 to 18:00 Mondays to Fridays, 08:00 to 13:00 Saturdays or at all on Sundays or Bank Holidays.

Reason: in the interests of the amenities or nearby properties

Policy: G2



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Agenda Item 9e

Deadline	08-Feb-2011		
Application Number:	S/2010/1713		
Site Address:	Summerfield House Berwick St. James Salisbury SP3 4TQ		
Proposal:	To demolish and clear the existing derelict poultry sheds, silos, dwelling and various outbuildings and the construction of a replacement dwelling, stables, menage, office building, storage building, new access and landscaping		
Applicant/ Agent:	Washbourne Greenwood Development Planning		
Parish:	Winterbourne Stoke		
Grid Reference:	407430 140420		
Type of Application:	S73		
Conservation Area:		LB Grade:	
Case Officer:	Charlie Bruce-White	Contact Number:	01722 434682

Reason for the application being considered by Committee:

The Southern Area Planning Committee have previously resolved that all applications at the former Wisma Poultry Farm/ Stonehenge Campsite be determined by the Committee.

1. Purpose of Report

To consider the above application and the recommendation of the case officer to APPROVE the time limit for implementation of the extant permission subject to conditions, for the reasons set out below.

Neighbourhood Responses

1 letter of support

3 letters confirming their previous support for the development, but making several observations

1 letter of objection

Parish Council Response

Support

2. Main Issues

- Whether there have been any material changes to planning policy or the physical nature of the site and its surroundings which could affect the development's planning merits

3. Site Description

The application site comprises a currently unused poultry farm that is located on the eastern side of the B3083, about 700 metres to the north of the village of Berwick St James and approximately 350 metres to the south of the junction of the B3083 with the A303. The site is also located a short distance (about 150 metres) to the south west of the settlement boundary of Winterbourne Stoke. The B3083, from which the site is accessed, links into the A303 west of Winterbourne Stoke and into the A36 at Stapleford.

The site extends to an area of about 2.16 hectares and was formerly used as a poultry farm and is occupied by a timber framed poultry shed that is constructed from blockwork and timber boarding and measures about 80m x 15m. In addition, there is also a steel framed hay barn measuring about 12m x 18m that is located close to the site frontage and is enclosed by metal cladding to the road (west) elevation.

The site is also occupied by a detached, single storey bungalow that is located towards the south eastern corner of the site. The existing dwelling has a pitched roof form and is finished in render under a concrete tiled roof. As such, the site is clearly divided into two separate uses, the agricultural use that occupies about three quarters of the site area and the residential area that occupies the remainder of the site. There are also several small outbuildings scattered around the eastern end of the overall site.

The remainder of the site forms an open and grassed area that is largely devoid of vegetation and effectively forms an agricultural field. The site is generally level, although the area of land between the existing poultry shed and the frontage boundary forms a small terrace at a slightly higher level to the rest of the site and there is a gentle slope down towards the east. The boundaries of the site are predominantly demarcated by post and rail fencing, although there is a conifer screen along part of the length of the northern boundary and a line of hawthorn trees along about half the length of the frontage boundary to the site.

The site is located outside of any settlement boundaries within the open countryside of the Special Landscape Area.

4. Planning History

App. No.	Proposal	Decision	Date
73/203	O/L application for the erection of 2 poultry houses, 15,000 square feet in total area	AC	26.11.73
77/89	Extension to poultry houses	R	8.6.77
78/880	Erection of building for poultry farming	AC	8.11.78
88/214	Erection of barn	AC	7.4.88
96/1202	Provision of mobile home for agricultural worker	R	27.11.96
00/2036	Erection of agricultural building (Replacement).	AC	08.01.01
00/2037	Erection of agricultural building (Replacement).	AC	08.01.01
05/2522	Redevelop buildings and land for equestrian & business purposes.	WD	24.01.06

06/2122	Demolish existing derelict poultry sheds and silos, steel framed barn and associated outbuildings. redevelop site by erection of replacement dwelling, stable block, lambing shed and stores, office building, storage building, construction of a menage and associated access & landscape works.	REF	19.04.07 28.02.10 Appeal allowed
07/2046	Demolition of existing agricultural buildings, existing dwelling and outbuildings. Construction of replacement dwelling and replacement agricultural buildings.	AC	28/03/08

5. The Proposal

Consent is sought to renew an extant permission (S/2006/2122) to demolish and clear existing derelict poultry sheds, silos, dwelling and various outbuildings and the construction of a replacement dwelling, stables, menage, office building, storage building, new access and landscaping.

6. Planning Policy

The following development plan policies are considered relevant to this proposal:

- Local Plan policies G1, G2, G4, H30, E21, CN21, CN22, C2, C6, C8, C12, TR11, TR14, R1C
- PPS1, PPS4, PPS7, PPG13

7. Consultations

WS Parish Council	Support subject to strict adherence to original planning conditions.
Council Archaeologist	No objection subject to condition requiring archaeological watching brief.
Highways Officer	No objection.
Highways Agency	No objection.

8. Publicity

5 letters of representation were received, including:

3 letters confirming their previous support for the development, but making the following observations:

- The application does not address the fact that certain details from the original plan can no longer be implemented, e.g. the ménage which has been constructed in the wrong place and the current entrance is incorrectly sited;
- Regrettable that the improvements associated with the original development have not been carried out more quickly, particularly the demolition of the remaining poultry shed, and it is imperative that the full extent of improvements are secured;

- The applicants past history of planning breaches raises doubts about whether the development will be lawfully implemented;
- Camping activities on adjacent site are still opposed.

1 letter supporting the application, since an alternative development of the site might be less appropriate, e.g. extension of camping activities.

1 letter objecting to the application, on the grounds that:

- The site is not appropriate for a commercial use;
- Circumstances that led the Planning Inspector to allow the development have changed, e.g. there is no likelihood that the land would revert to chicken farming due to a legal covenant; the applicant has failed to demolish the remaining chicken shed;
- The applicant has alternative intentions for the site, relating to camping, and a decision should not be made until the outcome of various ongoing appeals relating to this use are known.

9. Planning Considerations

The principle of development has already been agreed, and therefore the only consideration should relate to whether there have been any material changes to planning policy or the physical nature of the site and its surroundings which could affect the development's planning merits.

Since the original grant of approval the same Local Plan policies are still applicable, although national planning policy has been updated with the economic aspects of PPS7 being superseded by PPS4. However, in this case, it is not considered that PPS4 introduces any significant change in policy stance in terms of employment related development in the countryside.

The most significant change on the ground since the original grant of approval relates to the demolition of one of the two large poultry sheds, and the removal of the tall silo from the remaining shed. It is noted that one of the factors in favour of allowing the original development at appeal was the fact that the proposal would be removing an eyesore and source of nuisance to those living in the area. The subsequent removal of one of the sheds and silos has therefore watered down this negative element to a certain extent.

However, the remaining barn is still considered to be unsightly and the land use of the site has not changed. Whilst it is understood that there may be a legal covenant preventing the resumption of a poultry use at the site, this is not a factor which can be given weight in this planning decision. Consequently, it is still considered that the proposal would result in benefits in visual and land use planning terms over the existing situation.

It is noted that there have also been various other changes on the ground, such as the formation of a menage and development associated with camping facilities within an adjacent field, although these aspects are unauthorised and have no lawful standing. Consequently they do not comprise a consideration within this application, and are rather subject to separate enforcement related action.

10. Conclusion

There have been no significant material alterations to planning policy since the original approval, nor any significant material changes to the characteristics of the site and its surroundings that would warrant not permitting an extension to the time limit for implementation. Consequently it is still considered that the proposal is acceptable in principle and would be appropriate in visual, amenity, environmental and highway terms.

RECOMMENDATION

That the application be APPROVED for the following reasons:

There have been no significant material alterations to planning policy since the original approval, nor any significant material changes to the characteristics of the site and its surroundings that would warrant not permitting an extension to the time limit for implementation. Consequently it is still considered that the proposal is acceptable in principle and would be appropriate in visual, amenity, environmental and highway terms. The development would therefore accord with the aims and objectives of the development plan and Government guidance, having particular regard to saved Local Plan policies G1, G2, G4, H30, E21, CN21, CN22, C2, C6, C8, C12, TR11, TR14, R1C and PPS1, PPS4, PPS7, PPG13.

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.

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.

- 2) This decision relates to documents/plans submitted with the application, listed below:

- Plan Ref....0516-02...
- Plan Ref....0516-03A...
- Plan Ref....0516-04B...
- Plan Ref....0516-05...
- Plan Ref....0516-06C...
- Plan Ref....0516-07...
- Plan Ref....0516-08...
- Plan Ref....0516-99...
- Plan Ref....211.01 Rev A...
- Plan Ref....211.03...
- Plan Ref....coloured site plan layout...
- Plan Ref....illustration of the eastern elevations and aerial photograph...

Reason: For the avoidance of doubt.

- 3) No development shall take place until details and samples of all external facing and roofing materials (including the colour of any timber stain) to be used in the construction of the replacement dwelling, stable block/store building, office building and storage building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and the character and appearance of the area.

Policy: C6

- 4) No development shall take place, including site clearance, until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include indications of all existing trees, hedgerows and other site features and details of any to be retained together with measures for their protection in the course of development and proposed finished levels or contours. The details of the hard landscaping of the site shall include details of the surfacing materials and colours of all hard surfaces and where so required by the Local Planning Authority, samples of such materials and finishes.

Reason: In the interests of visual amenity and the character and appearance of the area.

Policy: C6

- 5) Soft landscape works shall include planting plans and full written specifications and schedules of plants, including species, plant sizes, numbers/densities and positions. If within a period of 5 years from the date of the planting or establishment of any tree, shrub or plant, that tree, shrub or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub or plant 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: In the interests of visual amenity and the character and appearance of the area.

Policy: C6

- 6) No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason: In the interests of visual amenity and the character and appearance of the area.

Policy: C6

- 7) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and the character and appearance of the area.

Policy: C6

- 8) No vegetation works including all tree, shrub and hedgerow works/clearance shall take place between the months of March to August inclusive unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of nesting birds.

Policy: C12

9) The development hereby approved shall be carried out in accordance with the recommendations detailed in the submitted protected species survey prepared by Country Contracts and dated September 2006 unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In interests of protected species.

Policy: C12

10) No development shall take place including the clearance/felling of trees, hedgerow and scrub until a scheme for the provision of an alternative roosting site for Barn and Little Owls in the form of a barn owl loft together with the provision of bat boxes and bird nesting boxes to include details of their design and a timetable for their provision has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In interests of protected species.

Policy: C12

11) No development shall take place until a further bat and bird survey of all the existing buildings and vegetation on the site, to include an internal survey of all roof spaces, shall be carried out between April to September and a report of the findings of these surveys shall be submitted to the Local Planning Authority. If the survey identifies the presence of bats or birds within any of the buildings or vegetation on the site, a detailed scheme of mitigation measures to ensure the protection of the protected species and its habitat shall be submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall be implemented in accordance with the approved details prior to the first occupation of any of the buildings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In interests of protected species.

Policy: C12

12) No development shall take place until a method statement detailing the potential risks from pollution, such as the storage of oils, fuels and chemicals to include mitigation measures during and after construct to the river system has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To minimise the risk of pollution of the water environment.

Policy: G2, C18

13) No development shall take place until a scheme of water efficiency measures to reduce the water consumption of the replacement dwelling, stable block/store building, office building and storage building, hereby approved, has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented and thereafter retained in accordance with the approved details.

Reason: In the interests of the conservation of water and energy resources.

Policy: G1

- 14) No development shall take place until a scheme for the discharge of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out prior to the first commencement of the use of the buildings hereby approved and shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

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

Policy: G2, G5

- 15) Development shall not begin until a desk study report of the historic uses of the site and sites surrounding area and the likelihood of contaminant extent and type has been submitted to the Local Planning Authority. If the report indicates the possibility of soil contamination, development shall not begin until a site investigation report documenting the ground conditions of the site, incorporating a conceptual model of all the potential pollutant linkages and an assessment of risk to identified receptors should be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of public health and safety.

Policy: G2

- 16) If risk assessment identifies unacceptable risk a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants or gases when the site is developed shall be submitted to and approved in writing by the Local Planning Authority. The remediation scheme as approved shall be implemented in accordance with the approved details prior to the first occupation or use of the buildings hereby approved, unless agreed by the Local Planning Authority.

Reason: In the interests of public health and safety.

Policy: G2

- 17) If during development contamination not previously identified is found to be present at the site, no further development shall be carried out until a revised remediation programme detailing the nature and extent of the unforeseen contamination and any remedial works, has been submitted to and approved in writing by the Local Planning Authority. The remediation works as approved shall be implemented in accordance with the approved details prior to the first occupation or use of the buildings hereby approved. On completion of the works a validation report detailing the implementation of the agreed remedial works and measures shall be submitted to and approved in writing by the Local Planning Authority prior to the first commencement of the use hereby permitted.

Reason: In the interests of public health and safety.

Policy: G2

- 18) No development shall take place within the appeal site area until the appellants, or their agents or successors in title has been secured the implementation of a programme or archaeological work in accordance with a written scheme of investigation which has been submitted by the appellants and approved in writing by the Local Planning Authority. The

development shall be carried the approved details.

Reason: To enable the recording of any matters of archaeological interest.

Policy: CN22

19) No development shall take place until a Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall include targets and objectives for the minimisation and recycling of any waste or materials generated during the demolition and construction phases. The development shall be carried out in accordance with the approved details.

Reason: In the interests of ensuring sustainable development

Policy: G1

20) Prior to the vehicular access, hereby approved, first being brought into use, the area between the nearside carriageway edge and lines drawn between a point 4.5m back from the carriageway edge along the centre line of the access and the extremities of the site frontage shall be cleared of obstruction to visibility at a height of 300mm above the nearside carriageway level and thereafter maintained free of obstruction at all times.

Reason: In the interests of highways safety.

Policy: G2

21) Prior to first occupation and commencement of use of the buildings hereby approved the vehicular access shall be constructed with a recessed entrance of a minimum width of 4.5m and 5m back from the carriageway edge and with its sides splayed outward at an angle of 45 degrees towards the carriageway edge. The area of land between the recessed entrance and the edge of the carriageway shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details that shall be submitted to and approved in writing by the Local Planning Authority. Any entrance gates shall be hung so as to open away from the highway only and shall be set back a minimum distance of 10m from the nearside edge of the carriageway.

Reason: In the interests of highways safety.

Policy: G2

22) Prior to first occupation and commencement of use of the buildings hereby approved, the new vehicular access to the site shall be fully constructed and available for use and the existing accesses to the site shall be permanently stopped up and abandoned within 7 days upon construction or opening up of the new vehicular access in accordance with details that shall be submitted to, and approved in writing by the Local Planning Authority.

Reason: In the interests of highways safety.

Policy: G2

23) No development shall take place until a scheme to prevent the discharge of surface water from the area of vehicular access onto the public highway has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out prior to the first occupation and commencement of use of the buildings hereby

approved and thereafter retained.

Reason: In the interests of highways safety.

Policy: G2

- 24) The extent of the area of land related to the employment use, hereby approved, shall be limited to that area of land as illustrated within the blue line on submitted plan (drawing 211.01 Rev A()) and the residential curtilage associated with the replacement dwelling hereby approved, shall be limited to that area of land contained within the red line as illustrated on this plan

Reason: In the interests of highways safety and the amenity of the area.

Policy: G2

- 25) Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) Order 1987 and the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactments thereof, the office building hereby approved shall enure solely for the benefit of Fox Grant Ltd and shall be used as office accommodation and ancillary storage and for no other use including any other purpose in Class B1 of the Town and Country Planning (Use Classes) (Amendment) Order 1987 or any subsequent re-enactment, without formal planning permission first being obtained.

Reason: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

Policy: G2

- 26) Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) Order 1987 and the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactments thereof, the storage building hereby approved shall be used solely as an ancillary storage facility to the office use and menage hereby approved, and for no other use without formal planning permission first being obtained.

Reason: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

Policy: G2

- 27) The roof space of the building, hereby approved shall be used solely for the purpose of dry office archive storage, as indicated on the submitted plan (drawing number 0516-048) and for no other purpose without formal planning permission first being obtained.

Reason: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

Policy: G2

- 28) There shall be no external storage of any goods, plant or material associated with the employment use hereby approved.

Reason: In the interests of the appearance of the site and the amenities of the area.

Policy: C6

29) No development shall take place until details of any external lighting, including lighting to the car parking area associated with the employment use hereby approved., shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

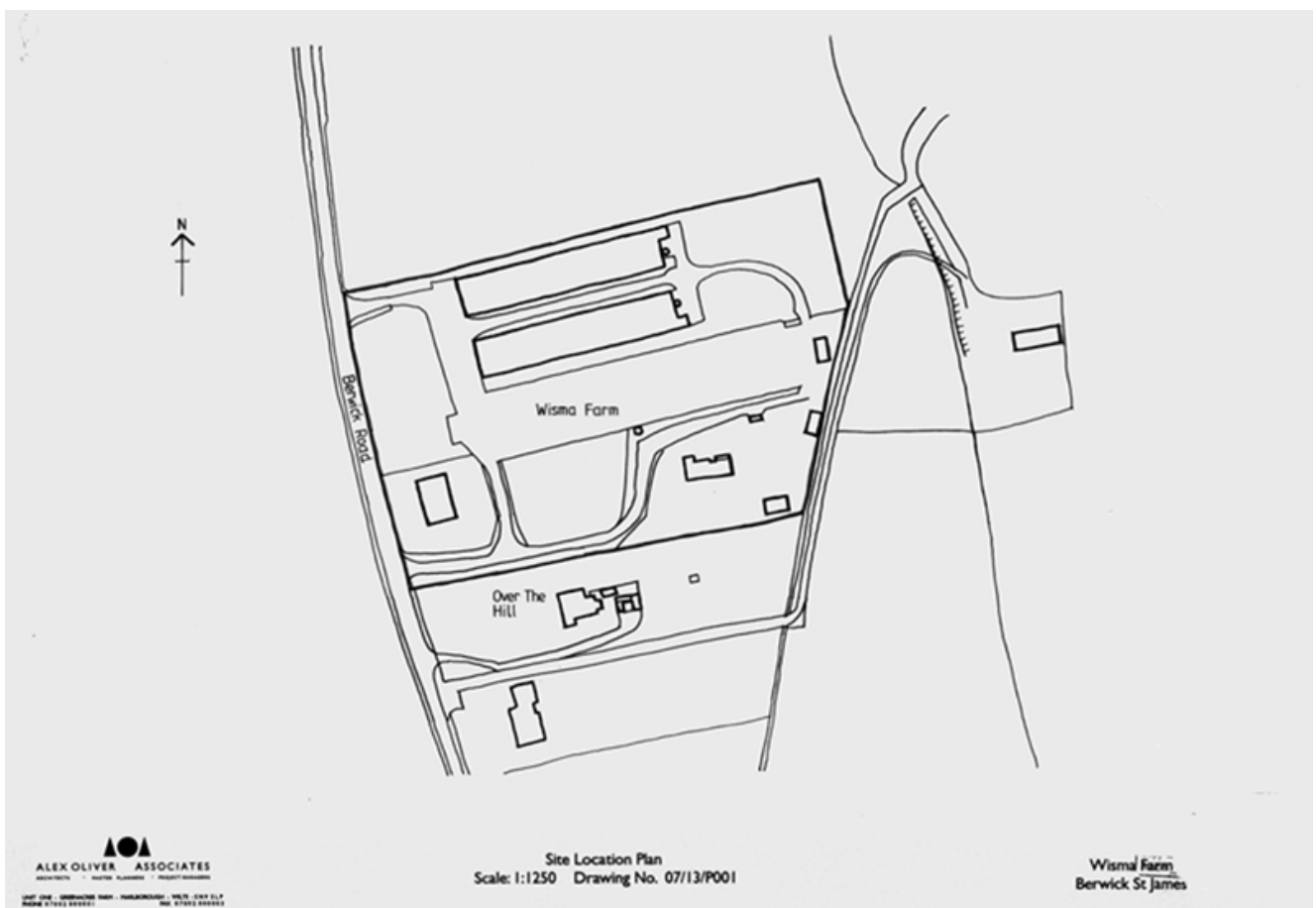
Reason: In the interests of visual amenity and the character and appearance of the area.

Policy: C6

30) The menage hereby permitted shall be used only for private and domestic purposes incidental to the enjoyment of the associated dwelling at Wisma Farm and shall not be used on a commercial basis or for any other business or commercial use whatsoever.

Reason: In the interests of highway safety and/or to protect the living conditions of nearby residents.

Policy: G2



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Agenda Item 9f

Deadline	13-Jan-2011		
Application Number:	S/2010/1764		
Site Address:	Former Wilton Middle School Site The Hollows Wilton Salisbury SP2 0JD		
Proposal:	New youth services and public protection buildings, associated carparking and external works		
Applicant/ Agent:	Hedges Associates		
Parish:	Wilton		
Grid Reference:	408948 131530		
Type of Application:	Full		
Conservation Area:		LB Grade:	
Case Officer:	Lucy Flindell	Contact Number:	01722 434541

Reason for the application being considered by Committee:

Council application where representations objecting to the application have been received

1. Purpose of Report

For members to consider the above application and the recommendation that planning permission be GRANTED subject to conditions

Neighbourhood Responses

2 letters received objecting to the proposal

1 letter of support received

Town Council response

Object to the application

2. Main Issues

The main issues to consider are :

1. Principle
2. Highways
3. Amenity
4. Ecology
5. Other Issues

3. Site Description

The site is in the south east corner of the former Wilton Middle School grounds. It is surrounded by school playing fields to the north and west, footpath to the south and is in an elevated position to The Hollows to the east with bank and hedge planting/trees to the east boundary.

There is an existing vehicular access in the south eastern corner of the site, owned by the Thistledown Education Trust (the new owners of the school) and is currently being upgraded as part of the renovation works to the school to provide a pavement and a hammer head for turning (these works are separate to this application).

4. Planning History

Application number	Proposal	Decision
1972/0030	Extension to Youth Centre at The Hollows, Wilton Borough	No objections 31.10.1972

5. The Proposal

The application is for the erection of two buildings on the site to provide a Youth Services building facility which will offer both indoor and outdoor controlled recreation for the youth of Wilton and storage/measuring facility for the Environmental Protection and Licensing Departments of Wiltshire Council for the Wilton Area.

The proposed buildings are of modular construction (constructed off site) externally clad with aggregate finish panels with UPVC windows and metal doors under flat roofs.

The Youth Services building will house a general meeting room, small meeting room, office, toilet facilities and storage.

The Environmental Protection building will provide storage facilities together with a fuel measuring room and associated office, toilet and wash areas.

The application also includes the creation of a parking/turning area within the site for both units providing space for eight cars, accessed off the Thistledown Education Trust entrance over which the Council retains a right of way.

6. Planning Policy

The following policies are considered relevant to this proposal

Adopted Salisbury District Local Plan (saved policies)

G1	Sustainable Development
G2	General Principles of development
C12	Protected species
R5	Infrastructure and facilities

7. Consultations

Town council

Object:

Youth facilities provision is acceptable, but the Public Protection Services building is not and is not conducive to educational purposes as the Church Trustees originally intended. Increased traffic to this secondary facility is an additional issue in a residential area.

Highways

No objections subject to condition requiring parking to be provided prior to the first use of the buildings.

Environmental Health

No observations

Wiltshire Fire & Rescue Service

Comments in relation to fire safety measures which can be added as an informative.

Wessex Water

Comments in relation to connections onto Wessex Water infrastructure which can be added as an informative.

Strategic Landscape

Agree with the findings of the ecological survey that the development will not directly impact upon any protected species. Suggested conditions with regard to removing vegetation and protection of trees and hedgerows to ensure that there is no impact on the ecology of the site as a result of carrying out the proposed works.

8. Publicity

The application was advertised by site notice/press notice /neighbour notification Expiry date 6th January 2011

3 letters of support/objection have been received. Summary of key points raised:

- There is a need for a youth centre in Wilton
- Youth centre would be more appropriate nearer the centre of the town
- Concerns opening 5 or more times a week will be unfair to local residents
- Unnecessary noise
- Development will lead to traffic chaos & hazard – road is narrow and one-way in many places causing many problems with traffic volumes (including cyclists) and pedestrians walking in the road.
- One young person has been killed in the road already.
- Development may lead to vandalism off-site. Would require a permanent police presence when the centre is operating.
- Suggest use of existing building where several former classrooms could be used as a community centre for all ages.
- Council has done all it can to ensure youth centre does not interfere with everyday lives of existing residents
- Query over use of entrance by new school.

9. Planning Considerations

9.1 Principle

The site is allocated in the Salisbury District Local Plan as R5 land (Protection of Outdoor Facilities). Policy R5 of the local plan specifically relates to the protection of Existing Outdoor Facilities and aims to protect these spaces from development, unless the sport or recreational facilities can be retained and enhanced through the development proposal; or alternative

equivalent provision is available in the locality or there is an excess of recreation space in the area.

The Design and Access Statement explains that the former Wilton Middle School became redundant due to the Wiltshire review of education in the area. The school has since been sold to be retained as a private school. Wiltshire Council has retained ownership of this application site which was originally fenced off from the former school campus and is on a fairly steep gradient of the school site and was not used for sport or recreational purposes when Wilton Middle School was in operation. The site originally included a prefabricated building (now demolished) set along the east boundary of the site that the planning history and historic maps indicates was previously in use as a youth centre, and was of a similar size to that now proposed.

The Design and Access Statement explains that the proposed use for a Youth Services building will offer indoor and outdoor controlled recreation which differs from the school but offers an enhanced extension to the present activities. The accompanying documentation also includes a list of alternative sites considered for the proposed youth centre facility in Wilton

It is considered that in principle, the addition of a youth centre on the site will be in accordance with policy R5 of the local plan.

The Environmental Protection building will not provide a sport or recreational facility, although the scale of this element of the proposal is not considered to result in a policy objection to the scheme.

9.2 Highways

Policy G2 of the local plan requires development proposals to provide a satisfactory means of access and turning space within the site, an appropriate level of parking and to also avoid placing an undue burden on the existing local road network.

Works are being carried out separately to this application by the new owners of the former Middle School Site, who have purchased the school from Wiltshire Council. The Council has advised that these works don't require planning permission, although the works are being monitored by the Area Highways Engineers and the Rights of Way officer is happy with the revisions to the entrance to the footpath running along the south boundary. Wiltshire Council maintains a right of way over this access to the proposed development.

An amended plan has been received altering the parking layout to ensure there is adequate space on the site for vehicles to easily manoeuvre and leave the site in a forward gear.

Objections have been received with regard to increased traffic along The Hollows as a result of the development and possible conflict with pedestrians/cyclists where the road is very narrow/one-way in some places. Wiltshire Council Highways have raised no objections to the scheme.

9.3 Amenity

Policy G2 also requires development proposals to avoid unduly disturbing, interfering or conflicting with adjoining dwellings to the detriment of existing occupiers.

The site is in an elevated position with the dwellings and gardens to the east of the site. The proposed buildings are approximately 35 metres from houses in The Hollows and the Youth Centre building will have no windows on the east elevation.

Trees and hedging to the east boundary will be retained.

Third party objections have been received relating to anti-social behaviour as a result of the proposed development. The application documentation includes the following paragraph: 'The Youth Service gave an undertaking that the building will be supervised when open. Wiltshire Constabulary supports this site.'

Question 20 on the application form asks the hours of opening and the applicants have requested opening times of between 18:30 to 21:30 for the youth centre Monday to Friday with occasional weekend use, and between 07:00 and 18:00 for the public protection building.

Environmental health officers have no objections to the scheme, and subject to conditioning hours of use, it is not considered that the proposed scheme will significantly impact on adjacent residential amenity.

In addition to planning condition, Section 79 of The Environmental Protection Act 1900 (legislation that operates outside of the planning system) identifies noise as a statutory nuisance. If a complaint of statutory nuisance is justified an Abatement Notice can be served upon the person responsible, occupier, or owner of the premises requiring that the Nuisance be abated. Failure to comply with an Abatement Notice is an offence and legal proceedings may result.

9.4 Ecology

The application is accompanied by a Habitat Survey and an Arboricultural Implications Assessment Tree Constraints and Protection Plan.

The habitat survey did not identify any habitats of particular ecological interest or conservation concern, although the survey did suggest the possibility of ground nesting birds using the denser areas of tall grass during the spring and summer months and that parts of the site appear suitable for low level use by reptiles. The Council's ecologist has advised that it is an offence to disturb any nesting birds/or to destroy current nests and that it is an offence to kill or injure any reptile species and recommends a vegetation removal strategy as a condition.

It is proposed to retain the existing hedges (containing small standard trees). The Council's ecologist has advised that in order to maintain the integrity of the hedges and trees as wildlife corridors and food resources, it will be necessary to provide a root protection zone along each hedge and around all trees in line with BS5837:2005 Trees in relation to construction. The application documentation includes a Tree Protection Plan which can be conditioned as part of an approval to ensure that these hedges/trees are retained for both ecological and screening reasons.

9.5 Other issues

Concerns have been raised over the use of the proposed building for Public Protection. The Design and Access statement advises that 'the main purpose of the environmental protection building is to provide storage facilities for general, pest control, secure and frozen goods together with a fuel measuring room and associated office, toilet and wash areas.'

The applicant has confirmed that the building will be used by the Public Protection Team for the secure storage of their testing equipment, pest control material and seized goods, that the proposed building is intrinsically safe and will not be used for the storage of petrol. The building will not be open to the public and a maximum of two vehicles per day will be on site.

It has been suggested that the building would be better located at the existing highways depot in Wilton. The applicant has confirmed that due to the review/disposal of highways depots it was not considered appropriate to site the proposed facility in existing premises and no other buildings in the Council's ownership were identified as being suitable for this facility. The applicant has also confirmed that there have been economies of scale by providing this small building alongside the much larger proposed youth centre as the buildings are of similar construction, with siteworks, services and craneage costs being shared.

In response to the Town Council concerns over the use of the land, the applicant has confirmed that there were no restrictions placed on the Council by the Diocese on the sale/purchase of the land (save for right of pre-emption in favour of the Thistledown Educational Trust in the event the Council gives notification of intended disposal), and there are no restrictions placed on the Council by the Thistledown Educational Trust on the use of the land.

10. Conclusion

It is considered that in principle, the addition of a youth centre on the site will be in accordance with policy R5 of the local plan, and whilst the Environmental Protection building will not provide a sport or recreational facility, the scale of this element of the proposal is not considered to result in a policy objection to the scheme.

It is considered that subject to conditions, the proposals would not cause any significant demonstrable harm to interests of acknowledged importance, in this case, the impact on the living conditions of nearby properties, highway safety or ecology.

Recommendation

It is recommended that planning permission is GRANTED for the following reasons:

The decision to grant planning permission has been taken on the grounds that subject to conditions, the proposals would not cause any significant demonstrable harm to interests of acknowledged importance, in this case, the impact on the living conditions of nearby properties, highway safety or ecology.

The proposal is considered to be in accordance with the aims and objectives of the following saved policies in the Salisbury District Local Plan:

- G1 Sustainable Development
- G2 General Principles of development
- C12 Protected species
- R5 Infrastructure and facilities

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.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

(2) No part of the development hereby permitted shall be first brought into use until the turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

Reason: In the interests of highway safety.

Policy: G2 (General)

(3) The development shall be completed in accordance with the vegetation removal strategy, unless otherwise agreed in writing by the Local Planning Authority:

Removal of any shrubs (including bramble) or other woody vegetation or long grass must not take place between March and July inclusive, unless the area has first been assessed by a competent ecologist and they are satisfied that no nesting birds are present, or nest in the process of being building.

Immediately prior to the commencement of construction works, all vegetation on the footprint of the proposed buildings and working area shall be strimmed in two stages, spread over 3 or 4 days. The first will be to 10cm and the second to ground level, with a gap of 2 days between the cuts to allow reptiles and small mammals to move away.

If any reptiles are found during preparatory site clearance, they should be removed by a competent ecologist to the edge of the site beyond the construction area.

If any unexpected species are found on site, the works should cease and the County Ecologist should be contacted for advice on how to proceed.

Reason: There is a risk that reptiles and ground nesting birds may be using the rougher areas of grass and scrub. The vegetation removal strategy should ensure that there is no impact on the ecology of the site as a result of carrying out the proposed works.

Policy: G1 (Sustainable development), G2 (General), C12 (Protected species)

(4) The development shall be completed in accordance with the Tree Protection Plan reference 101103-WMS-TPP-AM and Tree Protection section 4 of the 'Arboricultural Implications Assessment Tree Constraints and Protection Plan'.

The approved Tree Protection Fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

Reason: In order to maintain the integrity of the hedges and trees as wildlife corridors and food resources and a screen to the site boundary in the interests of visual amenity.

Policy: G1 (Sustainable development), G2 (General)

(5) The use of the Environmental Protection Building shall not take place except between the hours of 07:00 and 19:00 Monday to Friday. The use of the Youth Services Building and External Activity Area shall not take place except between the hours of 18:30 to 21:30 Monday to Friday, between the hours of 18:30 to 21:30 on Saturdays (up to five times a year) and not at any time on Sundays or Bank Holidays.

Reason: In the interests of the amenities of the occupants of the nearby residential properties.

Policy: G1 & G2 (General Development Criteria)

(6) This development shall be in accordance with the following drawings:

- 1:1250 Location Plan
- 1:2500 Location Plan
- 1017-02 Rev A Site Block Plan
- 1017-05 Rev A Floor Plan
- 1017-06 Rev A Elevations
- 1017-07 Rev A Floor Plan
- 1017-08 Rev A Elevations
- 101103-WMS-TPP-AM Tree Protection Plan

Reason: For the avoidance of doubt and in the interests of proper planning.

Appendices:	None
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Background Documents Used in the Preparation of this Report:	1:1250 Location Plan 1:2500 Location Plan 1017-02 Rev A Site Block Plan 1017-05 Rev A Floor Plan 1017-06 Rev A Elevations 1017-07 Rev A Floor Plan 1017-08 Rev A Elevations 101103-WMS-TPP-AM Tree Protection Plan Arboricultural Implications Assessment Tree Constraints and Protection Plan Extended Phase 1 Habitat Survey Design & Access Statement List of sites considered Pre-application letter from Wilton Town Council
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CHARTERED ARCHITECTS

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 This is a CAD drawing and should not be altered manually.
 Do not scale from this drawing, work to figured dimensions.
 Any discrepancies should be reported immediately.
 This drawing is to be used in conjunction with all other relevant documentation.
 All dimensions to be checked on site.

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Wiltshire Council
 Where everybody matters

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Project:
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 THE HOLLOWES
 WILTON
 WILTSHIRE
 SP2 QUD**

Drawing Title:
LOCATION PLAN

Drawn by: HBR	Date: 12.08.10
Checked by:	Scale: 1:2500

Dwg. No. 1017-01	Rev.	Paper Size A3
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